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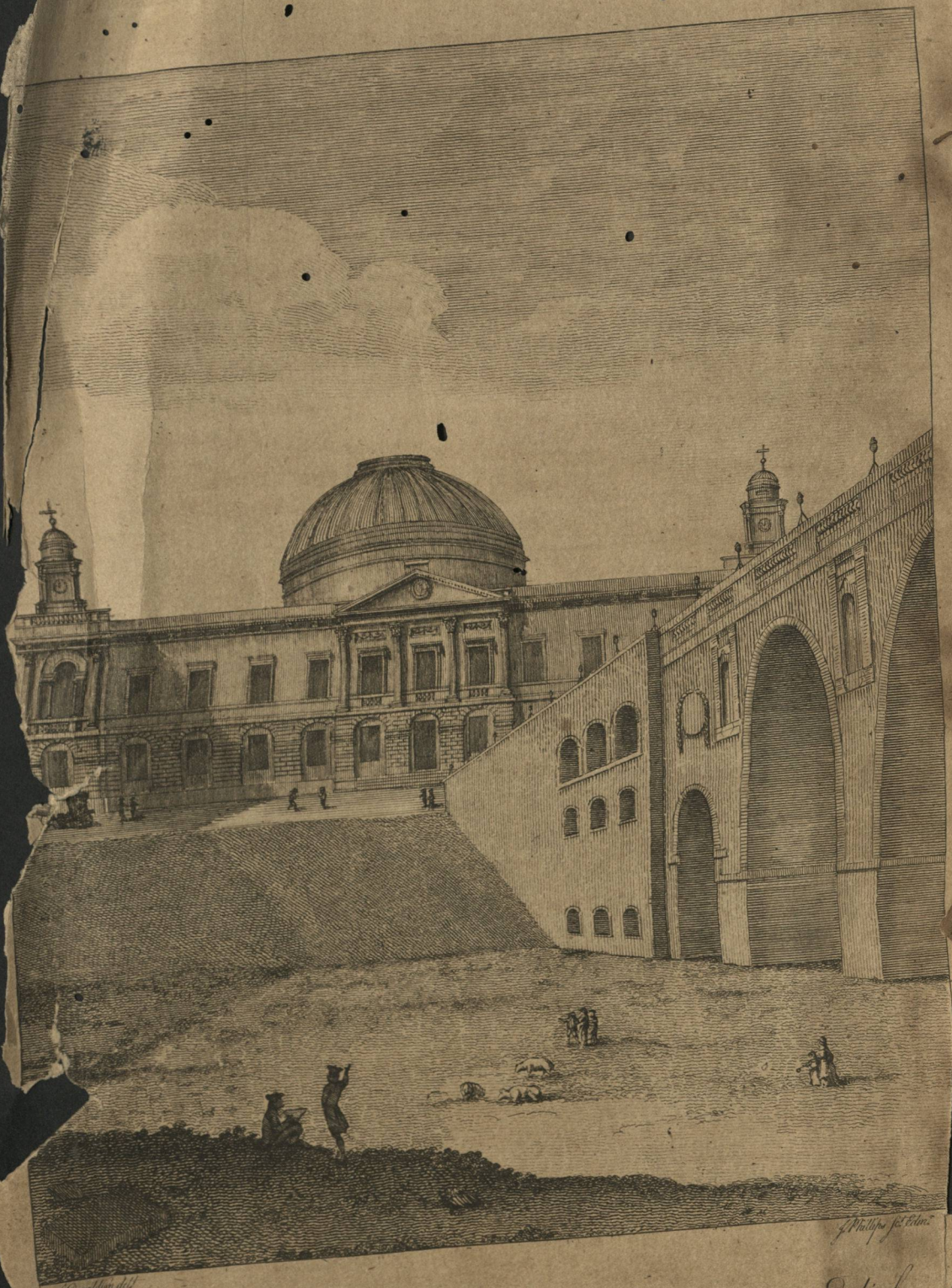

J. Donaldson del.

J. Phillips Sc. Edinr.

A Perspective View of the BRIDGE and REGISTER-OFFICE Edinburgh

THE

HISTORY OF EDINBURGH,

FROM THE EARLIEST ACCOUNTS TO THE PRESENT TIME.

CONTAINING

I. An Hiſtorical Account of the Revolutions in Scotland from 1093.
II. The Manners—Learning—Trade—Religion—Prices of Proviſions—Diſcovery of Coal—Public Amuſements, &c.
III. Progreſs and Preſent State of the City of Edinburgh.
IV. Public Buildings and Eſtabliſhments, &c.
V. An Account of the Univerſity, and other Seminaries of Learning, and Literary Societies.
VI. Legiſlative and Judicative Aſſemblies, with an Account of their Juriſdictions.
VII. Political and Military Conſtitution—Charitable Inſtitutions—Revenue.
VIII. An Account of Leith, its Trade, Shipping, Manufactures, &c.

By HUGO ARNOT, Eſq; Advocate,
AUTHOR OF THE COLLECTION OF CELEBRATED CRIMINAL TRIALS IN SCOTLAND.

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TO WHICH IS ADDED,

AN APPENDIX,

CONTAINING

I. A Diſſertation on Scottiſh Muſic.
II. An Account of Remarkable Funeral Proceſſions.
III. A Comparative View of the Modes of Living—Manners—Literature—Trade—and Improvements of the City, from the 1763 to the preſent period.

&c. &c. &c.

Embelliſhed with TWENTY ENGRAVINGS of PUBLIC BUILDINGS and VIEWS, and an ELEGANT and CORRECT PLAN of the CITY, as it now is.

EDINBURGH:
PRINTED FOR WILLIAM CREECH;
AND SOLD BY
Meſſrs ROBINSON & Co. Paternoſter-Row, London.

MDCCLXXXVIII.

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PREFACE.

WHEN I formed the reſolution of writing a hiſtory of Edinburgh, I intended to have compoſed a work on a limited ſcale. But the diſcovery of various materials which tended to illuſtrate the ſtate of manners, and to throw a new light on certain publick tranſactions, induced me to enlarge my plan.

The affairs of a kingdom, and of its capital, are ſo cloſely interwoven, that, in a hiſtory of the latter, to connect or ſeparate with propriety their reſpective affairs, requires nice diſcernment. In admitting or rejecting from this work a detail of national occurrences, I have been influenced by a joint conſideration of their connection with the capital, of their intrinſick importance, and of their having been faintly deſcribed by former writers, or exhibited in a point of view inconſiſtent with hiſtorical juſtice.

I have had to ſearch into moſt of the publick records in Scotland. Whether the materials I have diſcovered be equal to the labour of my reſearches, is not for me to determine. I have had to travel through the prolix jargon of polemical writers. It may, perhaps, be ſuperfluous to add, that a hiſtory which deſcribes, without reſerve, the enormities of different parties in a nation where contending factions, inflamed by bigotry, have mutually tyrannized over, or rebelled againſt each other, will afford to all parties ample occaſion for remark. With reſpect to

the odium I may incur on this account, I muſt conſole myſelf by reflecting, that a perſon who has not ſet his mind above being affected by the calumnies of faction, is utterly unqualified for the duties of an hiſtorian.

It has afforded me great ſatisfaction in the courſe of this work, that I have received, on all hands, the moſt chearful and liberal aſſiſtance. The Town-council of Edinburgh, and the keepers of all the public records, have given me the moſt ready acceſs to their repoſitories. And, in the different offices for collecting the public revenue, the moſt ready information has been afforded me. Principal Watſon of St Salvadore's, and Profeſſor Brown of St Mary's colleges St Andrews, as well as Principal Chalmers, and the Profeſſors of King's college Aberdeen, have, in the moſt obliging manner, communicated to me ſuch of their records as could be ſerviceable to this undertaking. And the profeſſors in the univerſity of Edinburgh have lent me every requiſite aſſiſtance.

I have been laid under no leſs obligations to individuals. In my ſearch for materials, Sir David Dalrymple pointed out to me thoſe paths which he himſelf has ſo accurately traced. To John Davidſon, Eſq; writer to the ſignet, I am indebted for the communication of antient records and curious manuſcripts, preſerved in the archives of great and noble families. He enhanced the favour by an explanation of many barbarous phraſes in thoſe papers, which to me were unintelligible. To William Tytler, Eſq; writer to the ſignet, I owe particular obligations. Let me not omit to acknowledge the polite and friendly attention with which DAVID GARRICK, *Eſq; communicated to me ſome curious and valuable manuſcripts.—Alas! I little thought that this was to be a tribute to his memory only.*

EDINBURGH, MARCH 1.
1779.

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THE

HISTORY

OF

EDINBURGH.

BOOK I.

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teſts againſt her Marriage with Bothwell—She is brought Captive to Edinburgh—Caſtle beſieged and taken—Earl of Morton—Violence of the Clergy, and their Influence—Fly from Edinburgh, but return—King effectuates a Reconciliation among the Nobles—New Quarrels between the King and Clergy, who excite the People to Tumult—The King aſſaulted—Eſcapes, and departs from Edinburgh—Meaſures of the Clergy—King returns—City convicted of High Treaſon, but reſtored—The King departs for England.

THE origin of nations, of cities, and of families, is commonly enveloped in obſcurity. Fable is called to aſſiſt vanity; and the memory of their real foundations being loſt, it affects to deduce their origin from remote antiquity. But, if they have ſprung up in rude ages, when the uſe of letters was unknown, and far leſs public archieves were eſtabliſhed, their primary inſtitution will be ſhaded with a deep miſt, through which tradition, etymology, and conjecture, can dart but a faint and uncertain glimmering.

To theſe diſadvantages a variety of circumſtances may be added, which have tended to involve the hiſtory of Edinburgh, during its early periods, in peculiar obſcurity. Situated in one of the ſix Roman provinces eſtabliſhed in this iſland, named Valentia *†, and in the Pictiſh ‡ territories, which were finally conquered from them by the Scots under Kenneth II. ‖, it was the ſcene of perpetual incurſions, devaſtations, and bloodſhed: Still more ſo in the wars between

* The province of Valentia comprehended the ſpace lying within the wall of Hadrian on the ſouth, erected between Newcaſtle and Carliſle, and that of Antoninus on the north, erected between Carriden on the Forth, preciſely in the middle between Borrowtownneſs and Blackneſs caſtle, and Dunglaſs on the river Clyde; Whitaker, v. 1. p. 55. and 63.; Scott's hiſt. of Scotland, p. 37. and 41.; Horſeley's Britannia Romana, p. 50. and 51. and p. 158. fig. 1. p. 176. fig. 1.

† Whitaker's hiſt. of Mancheſter, vol. 1. p. 63. vol. 2. p. 54. ‡ Boetius, lib. 1. fol. 12. ‖ Forduni Scoti-chronicon, lib. 2. cap. 4.

between the Scots and Engliſh, the latter of whom, under the auſpices of Edward I.*, with malicious policy, deſtroyed all the public records of this country. The traces of its hiſtory, therefore, in thoſe remote periods, muſt be faint and uncertain, and, to inveſtigate them, a matter rather curious than important.

The moſt antient name that we find applied to Edinburgh caſtle is *Caſtelh Mynyd Agned*†, importing, in the language of the antient Britons, 'the fortreſs of the Hill of Agnes;' and the hill itſelf, *Mynyd Agned Cathre-gonion*, i. e. 'the Hill Agned nigh the fortreſs.' From this it may be plainly inferred, either that Edinburgh caſtle was built during the Chriſtian aera; or, if previous to it, that its antient name was reſigned, and a new one adopted in honour of Saint Agnes. In an after age, the caſtle was diſtinguiſhed by the appellation of *Caſtrum Puellarum*‡, becauſe the daughters of the Pictiſh Kings and chiefs were educated and kept till their marriage in that place of ſtrength, a neceſſary ſafeguard in ſuch barbarous times, and the town obtained the name of EDINBURGH. Various etymologies of the name have been given, ſome of them abſurd, and moſt of them unſatisfactory. It is ſaid to have derived its name from *Eth*‖, a King of the Picts; but that ſuch a perſon ever exiſted, is uncertain. Others§ have attributed the name to *Edwin*, a Saxon prince of Northumbria, who began his reign** A. D. 617, and over-ran great part of the Pictiſh territories; and others have derived its name from two Gaelic words, *Dun Edin*††, ſignifying 'the face of a hill.' To which, or whether to any of theſe etymologies its name ſhould be attributed, we will not determine: But it appears evident that Edinburgh caſtle cannot boaſt an origin from much more remote anti-

* Hume's hiſt. of England, vol. 2. p. 293.; Robertſon's hiſt. of Scotland, v. i. p. 4.

† Boetius, lib. 1. t. 12.; Leſlie de reb. geſt Scot. lib. 2. t. 84.; Whitaker, vol. 2. p. 54.

‡ Fordun, lib. 5. c. 26.; Boetius, lib. 1. F. 12. ‖ Boetius, ut ſupra.

§ Maitland, lib. 1. p. 6. ** Whitaker, v. 2. p. 83. and 94. †† Buchanani hiſt Scot. lib. 6. § 2.

quity, as the celebrated Arthur * King of the Britons fought a battle on its preſent ſite in the end of the fifth century.

The firſt hiſtorical fact which is preſerved concerning this fortreſs is, that Queen Margaret †, the widow of Malcolm Canmore, died in the caſtle, a few days after her huſband was ſlain: That Donald Bane, uncle to Malcolm's children, having uſurped the throne, beſieged the caſtle in which the heir to the crown reſided. The uſurper preſuming, ‡ from the ſteepneſs of the rock, that Malcolm's children could eſcape only at the gates, ordered them alone to be guarded. But thoſe in the garriſon knowing this, conveyed the body of the Queen through a poſtern gate on the weſt ſide of the caſtle, to the church of Dunfermline, where it lies interred: And the children eſcaped to England, where they were protected and educated by their uncle Edgar Atheling.

Nov. 16. 1093.

But the firſt diſtinct traces that are to be found concerning the city of Edinburgh, are contained in a charter [illegible] in favour of certain canons regular, for whom [illegible] Abbay of Holyroodhouſe. From this charter [illegible] vious to its date, Edinburgh had been erected into a royal borough, as it is there ſtyled, "Burgo meo de Edwineſburg." It appears further, that Edinburgh had, by this time, been a place of ſome conſideration, as forty ſhillings yearly were payable to this church out of the revenues ariſing to the King from his borough of Edinburgh; and forty-eight ſhillings more out of the ſame, upon failure of certain duties payable to it, from the King's revenues, ariſing from the duties on ſhipping at the town of Perth: As alſo, from the grant therein made to them, of "one half of the tallow, lard, and hides of the beaſts "killed in Edinburgh." By the extenſive grants in this charter to the canons of this abbay, they got liberty to erect a borough § between

1128.

* Whitaker, v. 2. p. 54. and 58. † Fordun lib. 5. c. 26. ‡ Dalrymple's Annals, p 25. ‖ City Cartulary of Edinburgh, vol. 4. box 6. bundle 1. No 1.

§ Maitland, in lib. 2. p. 146, has miſtaken the barbarous phraſe in this charter, *Herbergare* quoddam

tween the church of Holyroodhouſe and the town of Edinburgh; and a juriſdiction was granted them, with powers of trial *by duel, and by fire and water ordeal.* It alſo appears, that the *pariſh church* of St Cuthbert's had, previous to this, been erected, with conſiderable endowments; particularly, the tithes of ſeveral fiſheries; that there were two chapels belonging to this church, viz. thoſe of Corſterphin and Libbertoun; and that this chapel of Libbertoun had been inſtituted before the uſurpation of Macbeth, whoſe donations in its favour are confirmed in this charter.

At this time Edinburgh caſtle was ſurrendered to the Engliſh, on an occaſion the moſt diſgraceful that occurs in Scottiſh annals. King William I. known by the appellation of William the Lyon, having in vain ſollicited †, from Henry II. of England, reſtitu- [illegible] rland, which was with-held from him, [illegible] into the Engliſh territories, and was taken [illegible] rhood of Alnwick ‡. The Scots, impatient [illegible] ing, purchaſed his freedom, by ſurrender- ing the independency || of the nation §. Many hoſtages, and ſome of the chief garriſons in Scotland, and among theſe the caſtle of Edinburgh, were delivered as pledges for the performance of this diſhonourable treaty. But, upon William's marriage with Ermengarde, *couſin to King Henry*, Edinburgh caſtle was reſtored and given in dower to the Queen. 1174.

In the reign of Alexander II. ** the ſon and ſucceſſor of William, Edinburgh was diſtinguiſhed, by the parliament having, for the firſt time, been held in this city; and alſo, by a provincial ſynod †† having 1215.

quoddam burgum, for the proper name of the *Canongate*; but, in the uncouth phraſeology of the times, it ſignified 'to *inhabit* a certain borough;' Dalrymple's annals, p. 97.

† Dalrymple's annals, p. 113. ‡ Ibid. p. 114.. Fordun, lib. 8. c. 22.

|| Dalrymple's annals, p. 117. and 130; Fordun, lib. 8. c. 24.; Leland's collectanea, lib. 2. p. 533. § King Richard I. reſtored Scotland to its independency Anno Dom. 1186, for 10,000 merks Sterling; Dalrymple's annals, p. 131. 133. ** Fordun, lib. 9. c. 27. †† Dalrymple's annals, p. 155.

ving been held in it by Cardinal l'Aleran, legate from Pope Gre-
1239. gory IX. His ſon, Alexander III. was betrothed * to the daughter of Henry III. of England; and the young Queen had Edinburgh caſtle appointed for her reſidence. But ſhe was [illegible] ſatisfied with her lot. She complained that 'ſhe was [illegible] the
1255. 'caſtle of Edinburgh, a ſad and ſolitary place, without verdure; and 'that ſhe was excluded from all conjugal intercourſe with her 'huſband, who had, by this time, compleated his fourteenth year.'

1290. Upon the death of the Maid † of Norway, grandchild to Alexander III. the conteſted ſucceſſion to the crown, by Bruce and Balliol, opened to Edward I. an opportunity of advancing his claim to the ſuperiority of Scotland. A claim founded on injuſtice, and proſecuted with cruelty, and which involved Scotland in calamities ſtill felt, by the obſcurity thrown upon its annals by the barbarous ravages and malicious policy of Edward. In the courſe of his wars, which terminated in the ſubmiſſion of Scotland ‡, Edinburgh caſtle
1296. was beſieged and taken. It remained in poſſeſſion of the Engliſh for twenty years, and was then recovered by Sir Thomas Ran-
1313. dolph ‖ Earl of Moray, afterwards governor of Scotland in the minority of David II. King Robert ordered Edinburgh caſtle to be demoliſhed; and he did the ſame to the other fortreſſes which he recovered from the Engliſh, leſt they ſhould again become receptacles for their protection, upon their future incurſions into this country.

In ſupporting Edward Balliol's pretenſions to the crown, and of his own to the ſuperiority of Scotland, Edward III. invaded the kingdom with a powerful fleet and army. The fleet ſailed up the Forth, and the towns on both ſides of the river were plundered § and

* Dalrymple's annals, p. 163. and 166. † Dalrymple's annals, p. 195. and 199.; Hume's hiſtory, vol. 2. p. 254. ‡ Dalrymple's annals, p. 240.; Hume's hiſtory, vol. 2. p. 292. ‖ Fordun. lib. 12. c. 19. § Fordun, lib. 13. c. 34. Holinſhed's hiſtory of Scotland, p. 235.

and burnt. The Scots did not venture to oppoſe the formidable hoſt of Edward, but prudently withdrew with their goods and cattle to their inacceſſible mountains. After a campaign, attended neither with glory nor advantage to Edward, but productive of much diſtreſs to the Scots, he retreated * to England. He was no ſooner gone than the Scots renewed their inſurrections againſt the delegated monarch, impoſed upon them by a foreign power. Edward returned with a great army, and went to Perth, where he expected the aſſiſtance † of the Earl of Athole. While he there lay encamped, Guy Count of Namure, (called erroneouſly by the Scottiſh writers, Duke of Guelders), came with a large body of foreigners to the aſſiſtance of Edward. He propoſed paſſing through Edinburgh, in his intended route to Perth. But the Earl of Moray, the governor, encountered his forces on the Borough-muir, in the neighbourhood of that city. The conflict was ſharp, and the Scots army well nigh overpowered, when a reinforcement, collected by William de Douglas, came to its aſſiſtance. The Count of Namure's forces gave way. They retreated to Edinburgh in order of battle, fighting gallantly, and hotly preſſed by the Earl of Moray. Part of them were driven through the ſpot where Briſto-port now ſtands, and, flying down the ſtreet preſently known by the name of Candlemaker-row, made *the beſt of their way to the rock*, where ‡ the caſtle then lay in ruins. The reſt fled through St Mary's wynd. They were encountered in that narrow lane by Sir David de Anand, a gallant Scottiſh knight, and ſuffered great ſlaughter. Thoſe who eſcaped joined their companions on the rocks of the caſtle. They killed their horſes, and, with their carcaſes, piled up a ſort of rampart, to defend them from the attacks of the Scots army, who there, as it were, beſieged them. But, being deſtitute of proviſions and lodging, as well

1335. 1336. 1336.

* Hume's hiſtory, vol. 2. p. 401. † Fordun, lib. 13. c. 35.; Holinſhed's hiſtory of Scotland, p 235. Leland's collectanea, vol. 2. p. 555. ‡ Leland's collectanea, vol. 2. p. 555. Fordun, lib. 13. c. 35. Holinſhed's hiſtory of Scotland, p. 236.

well as exhauſted with the fatigues of battle, on the next morning they ſurrendered, requiring no other ſtipulation, than that they ſhould not be put to the ſword. The Earl of Moray allowed them to depart, exacting their promiſe that they ſhould never more bear weapon againſt David Bruce. And, with a [illegible] reflects on the Earl ſtill more honour than his conduct in the field, he not only permitted the Count of Namure to depart with his effects, but accompanied him to the borders in perſon, and reſolved to ſee him ſafe out of the Scottiſh territories. The governor *, however, was but indifferently rewarded for his complaiſance; for, on the borders, after parting with the Count of Namure, he fell into an ambuſh laid by the Engliſh, and was carried priſoner to Edward.

Upon his return from Perth, Edward viſited Edinburgh in his way to England. He rebuilt the caſtle †, and put a ſtrong garriſon in it. However, it remained but a ſhort time in poſſeſſion of the Engliſh; for it was recovered by ſtratagem, by [illegible] among whom was William de Douglas, the ſame [illegible]
1341. buted to the victory obtained by the Scots in the Borough-muir. One of them feigned himſelf to be an Engliſh merchant; he went to the governour of the caſtle ‡, and told him, that he had got a cargo of wine, ſtrong beer, and biſcuit, *exquiſitely ſpiced*, in his veſſel juſt arrived in the Forth; which proviſions he *wiſhed* the Governour would buy from him. He produced, as a ſpecimen, a bottle of the wine, and another of the beer. The governour reliſhed the liquors, they agreed about the price, and this pretended merchant was to deliver the proviſions next morning early, that he might not be intercepted by the Scots. He came accordingly at the time appointed, attended by a dozen of armed followers, diſ-
April 17. guiſed in the habit of ſailors, and the gates were open for their reception. Upon entering the caſtle they contrived to overturn the carriage,

* Vide ut ſupra. † Leland's collect. v. 2. p. 555. ‡ Fordun, lib. 13. c. 47.; Boetius, p. 334.; Holinſhed's hiſt. of Scot. p. 239.

carriage, upon which the proviſions were ſuppoſed to be heaped, and inſtantly killed the porter and ſentries. Upon the ſound of a horn, the appointed ſignal, Douglas, with a band of armed men, ſprung from their concealments in the neighbourhood, and ruſhed into the caſtle; where, having joined their companions, the garriſon, after a ſharp conflict, were moſtly put to the ſword, and the 1341.
fortreſs recovered by the Scots. About this time alſo, the Engliſh were entirely driven out of Scotland.

The hoſtile incurſions of the Engliſh being ſuſpended, Edinburgh grew into more conſideration. King Robert I. had already beſtowed 1329.
on the burgeſſes, his borough of Edinburgh *, with the harbour and May 28.
milns of Leith. His great grandſon, John Earl of Carrick, who afterwards, when he mounted the throne †, aſſumed the name of *Robert* III. from a ſuperſtitious notion, that the name of *John* was unfortunate to monarchs, conferred on the whole burgeſſes of Edinburgh, the ſingular privilege of building houſes ‡ to themſelves within the caſtle, and of free acceſs to the ſame, without being 1385.
ſubject to fees to the conſtable, under no other limitation, than that July. 4.
they ſhould be perſons of good fame. No reaſon whatever, inductive ſo the grant, is aſſigned. The Kings ‖ of Scotland had their uſual reſidence in Edinburgh; parliaments were frequently held in it; and, being conſidered as the capital of the kingdom, the infamous traitors who murdered King James I §. at Perth, were brought to 1437.
Edinburgh, where they ſuffered the juſt and terrible puniſhment of their treaſon.

* Inventory to the city cartulary, v. 1. p. 1. † Scott's hiſt. p. 218.

‡ Inventory to the city cart. v. 1. p. 12.

‖ Scott's hiſt. p. 210. 220.; Acts of Scottiſh parliament, A. D. 1436 1437.

§ Boetius, f. 367.; Drummond's hiſt. of the James's, p. 17. A circumſtance concerning this murder deſerves to be noticed. It happened in the Abbey of Dominicans in a bed-chamber, off a gallery. The traitors having got into the gallery, and their plot being diſcovered, a Lady miſſing the *bar of the bed-chamber door, ſupplied its place, by thruſting her arm into the vacancy which ſhould have received the bar.* Shall we

James II. his ſon and ſucceſſor, *was crowned at the palace of Holyroodhouſe.* Being but ſeven years of age, Sir Thomas Livingſtone was appointed Regent, and the cuſtody of the royal perſon entruſted to Sir William Crichton the Chancellor. A quarrel happening between thoſe great officers, the King was kept a ſort of priſoner in Edinburgh caſtle, the place allotted for his reſidence. But the Queen Dowager, who favoured the Regent's party, reſolved to add luſtre to his cauſe, by poſſeſſion of the royal perſon. She paid a
1438. viſit to her ſon, affected to ſhow great reſpect to the Chancellor, declared an intention not to interfere in matters of ſtate, and that the ſole purpoſe of her viſit was to indulge maternal affection towards her ſon, and to ſeaſon his mind with wholeſome and pious advices. The unſuſpecting Chancellor believed her; ſhe pretended to undertake a pilgrimage to a church in Eaſt Lothian; and having obtained leave to carry out her effects, the young King, who had conſented to her plot, was carried out of the caſtle in a trunk, early in a morning, when his attendants ſuppoſed him aſleep. He was put on board a ſhip in Leith harbour, and that ſame night reached Stirling, where the Queen and the Regent rejoiced over the Chancellor's credulity, and the ſucceſs of their contrivance.

They did not long enjoy the fruits of their ingenuity; for the Chancellor

we infer from this, that the arts in this country were then ſo rude, that locks and iron bolts were not known; and that no other method was then uſed for ſecuring the inner apartments of the principal houſes in the kingdom, than by large wooden bars, ſuch as are uſed in barns at this day? We apprehend we hardly can; for it is incredible, that a people poſſeſſing their knowledge in the art of maſonry, and many others, particularly that of making weapons of attack and defence, and of cutting ſeals with much art, could be ignorant of the method of making locks. Beſides, King James III. in a charter only 40 years after that, (3d October 1477) expreſsly mentions *Cutlers and Lockmakers.* Scott's hiſt. p. 233; Drummond's hiſt. p. 15.; Scott's hiſt. p. 235.

The ſeal appended to the above mentioned charter, granted by John Earl of Carrick, would, we apprehend, do honour to a modern artiſt.

Chancellor recovered poſſeſſion of the King by ſtratagem. He knew that the King hunted very frequently in the woods near Stirling; he collected a body of men, when the Regent was at a diſtance, and, with his followers, placed himſelf * in theſe woods in ambuſh. The King enjoying the chace, fell into the ſnare, and was with much courteſy conducted by the Chancellor to Edinburgh caſtle. Thither the Regent followed him; they held a conference in St Giles's church, and were induced to a reconciliation, by their dread of the Earl of Douglas, whoſe exorbitant power was employed in exerting and encouraging the moſt outrageous oppreſſion over the country. The executive power of the ſtate was unable to inflict upon the Earl the puniſhment due to his crimes. The Chancellor, with the moſt inſinuating ſemblance of reſpect and friendſhip, decoyed him into the caſtle, where the Regent had alſo come to divide the guilt and odium of the murder they meaned to perpetrate. Lord Douglas was treated with ſuch diſtinguiſhing marks of honour as courtiers pay to thoſe whom they have devoted to deſtruction. As he ſat at table with the King †, towards the end of the banquet, a bull's head was ſet before him. He underſtood the fatal ſymbol, and ſprung from the table; but he, and his brother who was with him, were inſtantly ſeized by armed men, and, notwithſtanding the tears and entreaties of the young King, they were dragged to the outer court of the caſtle, and there murdered ‡.

1493.

1440.

Nov. 24.

The conduct of the city of Edinburgh, towards Henry VI. the unfortunate and exiled King of England, at this time received the moſt ample teſtimonial for humanity and politeneſs; namely, a grant by King Henry, ſetting forth the humane and honourable treatment he had received from the provoſt, miniſters, and burgeſſes

1461.

1463. Jan. 2.

* Scott's hiſt. p. 237.; Drummond's hiſt. p. 21. † Holinſhed's hiſt. of Scot. p. 270.; Scott's hiſt. p. 240.; Drummond's hiſt. p. 23.

‡ In the year 1753, ſome workmen digging for a foundation to a new ſtore-houſe within the caſtle, found ſome golden handles and plates for a coffin, which are ſuppoſed to have belonged to the coffin in which the Earl of Douglas was interred.

of Edinburgh, during his long reſidence there, after having * been expelled from England by his rebellious ſubjects; and therefore granting to the citizens of Edinburgh liberty to trade in all his ports of England, ſubject to no other duties than thoſe payable by his citizens of London. This teſtimonial, however, was more honourable than advantageous; for, as Henry never regained the throne, the grant was never confirmed.

Their behaviour to their own ſovereign was no leſs meritorious. The weak councils and ſuſpicious temper of James III. his paſſion for favourites, and the turbulence of his nobles, involved the nation
1476. in tumults and bloodſhed. The King's youngeſt brother John fell a victim to his ſuſpicion. The Duke of Albany eſcaped his brother's † fate by timely flight. He afterwards returned in a hoſtile manner, accompanying the Duke of Glouceſter, afterwards Richard III. who led a powerful army into Scotland. Glouceſter encamped
1482. his army at Reſtalrig. He advanced to Edinburgh, and required King James, who was confined in the caſtle by his own ſubjects, to perform his ſtipulations to England. At the Duke of Albany's requeſt he ſpared the citizens from being pillaged; and his approach to Edinburgh reſembled a triumphal entry rather than a hoſtile invaſion. Peace being eſtabliſhed, the Duke of Glouceſter returned to London; and a contract of marriage having been agreed upon between a daughter of Edward IV. of England and the Duke of Rothſay, afterwards James IV. the citizens of Edinburgh became bound to repay to Edward the dowry he gave in contemplation of the marriage. And, as the marriage ‡ failed, the citizens fulfilled their obligation by paying the money punctually. The Duke of Albany having returned to his allegiance, and being urged by the eager ſollicitations of James's Queen, reſolved to effectuate his delivery from Edinburgh caſtle ‖, where he had been nine months confined.

* Council reg. v. 37. p. 323. † Drummond's hiſt. p. 50.; Scott's hiſt. p. 273. 276. ‡ Drummond's hiſt. p. 51.; Baker's chronicle, p. 216. ‖ Ibid. p. 52.; Scott's hiſt. p. 277.

confined. The citizens, who had uniformly adhered to the royal cauſe, ſeconded his attempt. The caſtle was ſurpriſed, and the King releaſed. He was not unmindful of the obligation; for he executed an ample * grant in favour of the provoſt, council, and community of Edinburgh, ſetting forth the ſervices they had done him, and therefore granting to the provoſt the office of hereditary ſheriff within the city, with ample juriſdiction, and all the fines and eſcheats ariſing from the office. He alſo granted to the council powers to make ſtatutes and by-laws for the good government of the borough, an exemption from certain duties, and a right to exact cuſtom upon ſeveral ſpecies of merchandiſe at the port of Leith. The only *reddendum* preſtable by the council for thoſe ample privileges, was the annual celebration of a funeral maſs in St Giles's church for the King's ſoul, and thoſe of his progenitors and ſucceſſors. 1482. Nov. 16.

The citizens of Edinburgh ſuffered their ſhare in the calamity in which the unfortunate expedition againſt the Engliſh, undertaken by James IV. involved all Scotland. They laboured † at once under the great ſcourges of mankind, war and peſtilence. The King, from a romantic notion of honour, reſolved to make an hoſtile invaſion upon England; nor could the tears and intreaties of his Queen and his people prevent him from ruſhing to deſtruction. He aſſembled his army in the Borough-muir. The Earl of Angus provoſt, and all the magiſtrates, with a number of the citizens, joined the army. They appointed *George of Tours* to officiate for the provoſt, and four other perſons to diſcharge the office of bailies, till their return; giving them 'full juriſdiction, in their abſence, to do 'juſtice, make ſtatutes needful for the common weal, and puniſh 'treſpaſſes:' And ordering them 'to make an ſufficient watch 'for keeping of the town, by the perſons that happen to remain at 'home, *the quarter of them ilk night*.' The army marched on or after the 19th of Auguſt; they entered ‡ England on the 22d; and the 1513. Aug. 19.

* Inventory to the city cart. v. 1. p. 33. † Council regiſter, v. i. p. 4.

‡ Ibid. v. 1, p. 4. 5.; Drummond's hiſt. p. 74; Scott's hiſt. p. 304. 308.; Sir David Dalrymple's remarks, p. 150.

1513. the news of their fatal overthrow, in the field of Flowden, reached Edinburgh on the day after the battle, and overwhelmed the inhabitants with grief and confuſion. The ſtreets were crowded with women, ſeeking intelligence about their friends, clamouring and weeping. Thoſe who officiated in abſence of the magiſtrates, proved themſelves worthy of the truſt. They iſſued a proclamation, ordering all the inhabitants to aſſemble in military array for defence of the city, on the tolling of the bell; and commanding, 'that all 'women, and eſpecially vagabonds, do repair to their work, and 'be not ſeen upon the ſtreet *clamouring and crying*; and that wo-'men of the better ſort do repair to the church, and offer up their 'prayers at the ſtated hours, for our ſovereign Lord, and his army, 'and the townſmen who are with the army.' The council ordained
1514. a guard, conſiſting of twenty-four men, to be levied for the defence of the city *; and L. 500 Scots to be raiſed, and applied to fortifying the town, and purchaſing artillery to reſiſt the enemy. A peace with England freed the † inhabitants of Edinburgh from their apprehenſions of the city's being attacked; but the plague ſtill continued to rage ‡ with violence, and the magiſtrates found it neceſſary to order ſeveral houſes, where infected perſons dwelt, to be pulled down.

Sept. 10

During the minority of James V. the nobles were extremely turbulent, and none more ſo than the Earls of Angus and Arran. Their unruly behaviour induced the Duke of Albany Regent, to pronounce an edict, prohibiting || any of the name of Douglas or Hamilton
Feb. 20 to be choſen Provoſt of Edinburgh. Notwithſtanding this order,
1519. and the ſentiments of the citizens themſelves, which were averſe to the Earl of Arran, that Lord thought proper to interfere in the elec-
1520. tion of Provoſt. The citizens ſhut their gates againſt him; a ſcuffle enſued; one § of the deacons was killed by the Hamilton party, and

* Council regiſter, p. 5. † Hume's hiſt. vol. 3. p. 467. ‡ Council regiſter, v. 1. p. 12 || Council reg. v. 1. Feb. 20. 1519. § Drummond's hiſtory, p. 88. Scot's Liſtory, p. 320.

and the minds of the inhabitants totally alienated from the Earl of Arran. A diſpute having, about the ſame time, ariſen between the Earl of Rothes and Lord Lindeſay, they attacked each other with tumultuary arms, on the high-ſtreet of Edinburgh; nor could they be ſeparated, till they were both made priſoners, the one committed to the caſtle of Dunbar, and the other to that of Dumbarton.

The national animoſities between the Scots and Engliſh kindling frequently into action, the council * voluntarily offered to furniſh the King with three hundred men at arms, 'againſt his *antient ene-* 'mies of England, when his Grace ſhould require them.' But the aera now approached, when religious zeal extinguiſhed the dutiful, yet ſpirited behaviour of Edinburgh, and when motives, far diſtant from loyalty, called forth its citizens to arms, we mean that of the reformation, an event in itſelf ſo remarkable and important, and attended with ſuch material conſequences to the city of Edinburgh, that a ſhort inquiry into the cauſes of its riſe and progreſs, will not, we hope, be conſidered as impertinent. 1532. Sept. 19.

The ſentiments of devotion are deeply impreſſed on the mind of man. He is incited by love, gratitude, and awe, to the exerciſe of an affection ſo pleaſant in itſelf, and which tends ſo ſtrongly to improve the heart. But, from his limited capacity, and the frailty of his nature, he forms various, and frequently very groſs notions of the object to which all adoration ſhould be paid. He plainly traces the finger of the Deity in the works of creation; but the capacity of man cannot, by the contemplation of material and ſpiritual objects, form adequate or diſtinct notions of the divine nature and attributes. From the uniform operations of nature being conſtantly before him, the objects become familiar. And his perception of the Deity is diminiſhed, by his imputing the effects which he daily ſees to thoſe ſecondary cauſes which the wiſdom of God has thought proper to make the uniform means of producing natural events. Hence

* Council reg. vol. 1. p. 39.

1532. Hence revelation became neceſſary, both to extend his ideas of the Divine nature, and to give him a firm principle of belief. But even revelation itſelf is liable to be miſinterpreted and corrupted; the pure ſtream is polluted by the foul channel through which it flows. The nature of certain doctrines in Scripture being beyond the reach of human comprehenſion, the extreme ignorance of mankind in the early ages of Chriſtianity, the ſuppoſed ſanctity of the clergy, who poſſeſſed the only learning of the times, and the exuberant confidence which mankind repoſed in them, were the means of introducing a multitude of errors and corruptions into the church; ſo that Chriſtianity, as then profeſſed, inſtead of being a pure, rational, and divine ſyſtem of religion, was a complication of doctrines equally abſurd in their foundation, and pernicious in their conſequences.

But groſs as the ſtate of religion then was, and however much reformation might be needed, we cannot concur in opinion with thoſe who have ſuppoſed, that a ſenſe of theſe abſurdities, either ſuggeſted the notion, or even did much aſſiſt the progreſs of reformation. We have not diſcovered that reaſon has at any time been able to diſpel from the multitude thoſe abſurdities, which the ſuperſtitions of different ages and countries may have inſtilled into them. Beſides, philoſophy had not by this time, nor till long after, made any conſiderable progreſs; nor were the ideas of men enlightened or enlarged. Many notions * and articles of belief remained with them, fully as abſurd as thoſe which they rejected. And, farther, the rapid progreſs of reformation ſhows evidently that its ſucceſs was not owing to reaſon or reflection. We may admire, then, the wiſdom of Providence, which ſo diſpoſes of human actions, as to make the paſſions and intereſts of men, leading them to indifferent, and ſometimes to criminal purſuits, productive of the moſt happy events.

The

* Their belief in witchcraft, their conceit of being frequently actuated by the immediate inſpiration of the Deity, their Judaical obſervation of the Sabbath, and their extreme abhorrence at innocent amuſements, diſplayed in the writings of Rutherford, Dodſham, and others their moſt eminent and popular divines, fully juſtify this obſervation.

The firſt idea of reformation ſeems to have originated from the 1532.
reſentment of Luther, at the affront caſt upon the order to which he belonged, by an advantageous ſpecies of religious traffic being tranſferred from the Auſtin to the Dominican friars. In the courſe of his diſputations againſt the ſale of indulgencies, his knowledge in the Scriptures became more extenſive, his ideas more enlarged; and he had the honour of being the firſt who planned the deſtruction of the Romiſh hierarchy, and of freeing the minds of men from that ignorance in which they had been ſo long enſlaved. Among the cauſes of the rapid progreſs of reformation, may be reckoned the flattering the vanity of mankind, by appealing to their judgments to detect falſehood; the indulging it ſtill farther, by permitting the laity to read the Scriptures, formerly held too ſacred for their peruſal; the reputation which the firſt reformers acquired, from the auſterity of their lives, ſo oppoſite to the licentious manners of the popiſh clergy; and the indignation which would naturally ariſe in the people againſt thoſe licentious drones, for having artfully poſſeſſed themſelves of ſo much wealth, which enabled them to live in indolence and debauchery; the detection of thoſe pious cheats by which the prieſts impoſed upon the people; the invention of printing, which was attended with the peculiar felicity both of exciting and gratifying an univerſal thirſt for knowledge; the intolerant ſpirit of reformation, repreſenting popery as impious and damnable; the reformers directing their harangues more to the paſſions than the judgment; and inflaming thoſe paſſions againſt ſenſible and material objects, ſuch as images, crucifixes, and garments; for, the ſame external, the ſame material objects which formerly promoted adoration, now excited abhorrence; and the ſtream of popular ideas being diverted into an oppoſite channel, ſwelled into a torrent, that ſwept away the mighty fabric, which had been reared by the labour and ſuperſtition of many ages. To theſe may be added the cauſes which aſſiſted reformation peculiar to this country. As the church and ſtate mutually ſupported each other, ſo the reformation favour-

1532. ed the turbulence of the nobles, by humbling the royal cauſe; and it flattered the vanity of the mob, by levelling the crown and the mitre, and by the preachers dwelling, in their harangues, upon the juſt, but popular topic, 'that the prince and the peaſant will be equally accepted at the throne of grace;' the ill-judged ſeverity of government againſt the leaders of the reformation, with the courage and conſtancy which they diſplayed under their ſufferings; the imprudent conduct of Queen Mary; the ſtern temper, yet licentious behaviour of Cardinal Beaton; the ambition of the Earl of Murray, which promiſed him the regency of Scotland, under a long minority, perhaps ſuggeſted to him ſtill more aſpiring objects; but, above all, the nobles, devouring in proſpect, and afterwards in reality, the ample revenues of the church.

A war with England was the firſt fruits of the ſtruggle between
1542. the catholic and reformed religions. By the death of James V. the ſceptre having dropped into an infant hand, Henry VIII. propoſed,
1543. by a marriage between his ſon Edward and the young Queen, on terms unequal and diſhonourable to* the Scots, to acquire the dominion of their country. His deſigns were favoured by thoſe who wiſhed for an alliance with a Prince diſpoſed to afford ſuch powerful protection to the reformed religion; and the treaty was agreed on. But Cardinal Beaton, who, in this alliance, foreſaw the deſtruction of his religion, found means to diſappoint it; and, when the Engliſh ambaſſador required, upon the day appointed, the delivery of hoſtages† for performance of the treaty, he diſcovered, from the Regent's evaſions, his deſign that it ſhould never be accompliſhed. The boiſterous ſpirit of Henry was not likely to brook a diſappointment, which inſulted his pride, while it mortified his ambition. A fleet of two hundred ſail, with a powerful army on board, entered the Forth‡, to take vengeance on his enemies. The
May 4. 1544. Engliſh army landed near Royſtun, and, in their way to Leith, were

* Robertſon's hiſt. v. 1. p. 99. † Hume's hiſt. v. 4. p. 253. ‡ Holinſhed's hiſtory of England, p. 1592.

were oppoſed by a ſmall body of Scots, whom they ſpeedily put to flight; after which they took poſſeſſion of Leith. On the ſecond day thereafter they marched for Edinburgh. On their approach to the city they were met by the provoſt, who offered, in the name of the citizens, to evacuate the town, and to deliver the keys to the commander of the Engliſh forces, provided they might have liberty to carry their effects along with them, and that the city ſhould be ſaved from fire. The Engliſh general rejected the terms, and required from the citizens an abſolute unconditional ſubmiſſion of their lives and properties*; the provoſt replying, '*It were better the city ſhould ſtand on its defence*,' was commanded to retire. The Netherbow-port was aſſaulted, and beat open; a number of the inhabitants were killed; the Engliſh proceeded with their heavy artillery againſt the caſtle, from which they ſuffered ſo ſmart and well directed a fire as obliged them to deſiſt from their attack. Being baffled in their attempts upon the caſtle, they wrecked their vengeance upon the city with double fury, and a devaſtation almoſt incredible commenced. They ſet it on fire in ſo many places that the ſmoke obliged them to quit the town: They returned, however, and, for three ſucceſſive days, exerted their utmoſt efforts towards its total deſtruction. For ſeven miles round Edinburgh the country was laid waſte; the palace of Holyroodhouſe, the caſtles of Craigmillar and Roſlin, and the pier of Leith, which was then entirely of wood, were burnt: Hardly a houſe or village within that ſpace eſcaped the flames. While the army wrecked their fury by land, the fleet was not idle, but ſcouring the Forth; almoſt every village from Fifeneſs to Stirling was plundered and burnt. At laſt, ſatiated with cruelty and rapine, they retired, carrying along with them not only the ſpoil which they got by land, but alſo all the ſhips and veſſels in the Frith. Edinburgh and Leith, however, ſo ſpeedily recovered from this calamity, that the town of Leith afforded the Engliſh, after the battle of Pinkey, an opportunity of plundering and burn- 1554.

* Holinſhed's hiſtory of England, p. 1592. et ſeq.

1547. ing it again *, as well as the ſhips in the harbour; but the Duke
Sept. 17. of Somerſet, the Lord Protector, who commanded the Engliſh army in perſon, had the humanity to ſpare Edinburgh, after that important victory, which threatened the ſubjection of Scotland.

The doctrines of reformation had hitherto made little progreſs in Scotland; they began to be more widely diffuſed by the zealous and able miniſtry of John Knox. This celebrated reformer came
1555. to Edinburgh in the year 1555, where he preached in private to ſuch as favoured the reformation †. He declaimed with vehemence againſt all temporiſing, and expatiated upon the impiety of even being preſent at maſs. The hand of power obliged him to fly the kingdom; but it could not ſtop the growth of thoſe doctrines which he propagated; the effects of them were manifeſted by the abhorrence which began to be entertained againſt that *idol the maſs*. Thoſe who imagined themſelves poſſeſſed of wit or learning, employed their pens in ridicule of popery: And the mob ‡, with ſticks and
1556. ſtones, weapons more ſuitable to them, demoliſhed the images in St Giles's church, to the no ſlight offence of the Queen-regent. The people continued to diſplay ſo ſtrong an averſion at popiſh ceremonies, as prognoſticated the downfal of that ſuperſtition; for, with the ſuperſtitious rabble, ceremonies are, perhaps, the moſt eſſential part of religion. On the approach of the feaſt of St Giles, the tutelary ſaint of Edinburgh, certain pious reformers, to avoid that profanation, idolatry, ſtole the image of St Giles, which they threw into the North Loch, the unhallowed place where thoſe convicted of adultery and fornication were plunged, as a puniſhment for
1558. their ſins. There was great confuſion among the prieſts when, upon their going to decorate the image for the proceſſion annually held at that feſtival, they diſcovered it to be ſtolen. The murmurs ran from the friars to the biſhops, and from the biſhops to the Queen.

* Holinſhed's hiſtory of England, p. 1630. † Knox's hiſt. of the reformation, p. 90. et ſeq. ‡ Council reg. vol. 2. p. 83.

Queen. To ſupply its place, a ſmall image was borrowed from the Gray-friars, which the mob in deriſion called *Young St Giles**; and, as a tumult was dreaded, the Queen-regent graced the ſolemnity with her preſence, to over-awe the rabble. The proceſſion was conducted peaceably till towards the end, when the Queen retiring to dinner, the mob demoliſhed the image, and ſcattered the proceſſion. Then, according to Knox, 'Dagon was left without head or hands; 'down goes the croſs; off go the ſurplices, round caps, and cornets 'with the crowns. The Gray-friars gaped; the Black-friars blew; 'the prieſts panted and fled; and happy was he that got firſt to the 'houſe; for ſuch a ſudden fray came never among the generation 'of Antichriſt within this realm before.' 1558. Sept. 1.

The proſelytes to the reformed doctrines increaſing, they diſtinguiſhed themſelves by the name of THE CONGREGATION†. They bound themſelves to the mutual defence and ſupport of each other, in propagating their religious tenets. And it ſeems to have been their leading principle or *paſſion*, to exert the utmoſt efforts of their fury againſt thoſe objects which had hitherto been ſet apart for the purpoſes of religious worſhip. The magiſtrates of Edinburgh, however, endeavoured to check this furious ſpirit, both among the citizens and ſtrangers‡. They paid becoming attention to the letter ſent them by the Queen-regent, on the demolition of the religious houſes at Perth, requeſting them to keep the peace. Upon the Lords of the Congregation approaching to Edinburgh, the council ſent deputies to them, entreating them to ſpare their churches and religious houſes, the proteſtant worſhip to be exerciſed in the former, and the latter to be converted into reformed ſeminaries. They alſo ordered all the gates of the city to be ſhut, except thoſe of the Netherbow and Weſt-port, which were ſtrongly guarded. And upon the Queen-regent's‖ entering Edinburgh, it was agreed between her and the Lords of the Congregation, that each party ſhould exerciſe

* Knox's hiſt. p. 95. † Spottiſwood's hiſt. of the church, p. 119. et ſeq.; Scott's hiſt. p. 374. ‡ Council reg. v. 3. p. 14. et 17. ‖ Knox's hiſt. p. 153.

July 24. 1559. exerciſe unmoleſted * their ſeparate religions, till the tenth of the enſuing month of January.

The Queen-regent having introduced ſome French troops into Leith, expelled ſeveral inhabitants in order to accommodate the troops, and began to fortify the town; ſhe was held by the Lords of the Congregation to have thereby infringed the late treaty. They requeſted her to deſiſt from carrying on the fortifications; and, upon finding their entreaties ineffectual, marched to Edinburgh. They aſſembled in the tolbooth, where †, after the opinion of Knox and Willox, their preachers, being required and delivered, concerning the Oct. 23. obedience due to ſovereigns tyrannically exerting their power, they ventured, with the unanimous concurrence of all preſent, to *ſuſpend* the Queen-dowager from the regency. On the next day they formally required the town of Leith to ſurrender; but no regard being paid to their ſummons, they attacked the fortifications, the town-council of Edinburgh having furniſhed two thouſand merks towards promoting the enterprize. The mode of their attack was by ſcalade; the beſiegers were repulſed, chiefly owing to the ſhortneſs of the ſcaling-ladders; and the preachers

* Dr Robertſon, in his account of this treaty, has not obſerved his uſual accuracy; The greatneſs of the authority renders the more dangerous the miſtake of ſo able a pen. His words are, 'On the other hand, the Queen agreed to give no moleſtation to the 'preachers or profeſſors of the proteſtant religion; *to allow no other form of worſhip in Edin-burgh but the reformed*; and to permit the free and public exerciſe of it all over the king-'dom.' The treaty is preſerved both in Knox and Spottiſwood; from the words of it the reader will judge which account is fair, Dr Robertſon's or the author's; the words are, 'Item, the town of Edinburgh ſhall, without compulſion, uſe and chuſe what reli-'gion and manner thereof they pleaſe, to the ſaid day; ſo that every man may have 'freedom to uſe his own conſcience to the day foreſaid. Item, the Queen's Grace ſhall 'not interpone her authority to moleſt or trouble the preachers of the Congregation, nor 'their miniſtry, (*to them that pleaſe to uſe the ſame*) to the ſaid tenth day of January within 'written; and that every man in particular live, in the mean time, according to his own 'conſcience.' Robertſon's hiſt. v. 1 p. 189.; Knox's hiſt. p 153; Spottiſwood's hiſt. p. 128.

† Knox's hiſtory, from p. 169. to p. 188.; Spottiſwood's hiſtory, p. 137. and 138.; Council regiſter, v. 3. p. 27.

preachers failed not to impute the miſcarriage to the guilt the people had incurred, by their impiety in having thoſe ladders prepared in St Giles's church. The Lords of the Congregation, by treaty with Elizabeth, called into to their aid a body of Engliſh forces *. The council of Edinburgh aſſiſted them with a month's pay for four hundred men; after various aſſaults and ſkirmiſhes, unworthy of particular detail, the French troops were compelled to ſurrender the fortifications of Leith, and to abandon the kingdom. And the Lords of the privy-council ordered the magiſtrates of Edinburgh to demoliſh theſe fortifications, that they might not afterwards be a receptacle for harbouring the enemies and invaders of Scotland †. 1560. July 8.

By the death of the Queen Regent, and the expulſion of the French troops, the Lords of the Congregation were left maſters of the kingdom. In the treaty between theſe Lords, and Ambaſſadors from Francis and Mary, by which they had agreed that the French ſhould evacuate Scotland, it was ſtipulated, that a parliament ſhould be held in the month of Auguſt thereafter, and that the ſame ſhould be deemed as lawful in all reſpects, as if it were ordained by the expreſs commandment of their Majeſties. Purſuant to this article, a parliament was aſſembled at Edinburgh; all the members who favoured the doctrines of reformation attended, as well as ſeveral prelates and lords who ſtill adhered to the Catholic religion. Objections were ‡ ſtarted to the legality of the meeting, on account of no commiſſioner appearing to repreſent the ſovereign; but they were over-ruled, and the parliament proceeded to aboliſh the papal juriſdiction, to reſcind the whole acts made in favour of popery, to eſtabliſh the Confeſſion of Faith, and to impoſe the ſame penalties on the profeſſors of the old religion, which, when inflicted upon themſelves, they complained of as grievous perſecution, although, in the eye of human law, they were then no more than a ſet of innovating ſectaries. Francis and

* Knox's hiſtory, p. 217. and 334.; Council regiſter v. 3. p. 33. † Council reg. v. 3 p. 40. ‡ Knox's hiſtory, p. 254.; Spottiſwood's hiſtory, p. 150.

1560. and Mary received the intelligence of theſe proceedings, with that indignation which might naturally have been expected. Far from ratifying them, they ſpurned the meſſenger who brought theſe reſolutions; reſolutions which they deemed the Convention to have dictated, in contempt of the authority, and contradiction to the precepts of their earthly and heavenly ſovereigns.

A practice had crept in of obſerving the Lord's day in a manner very different from that warranted in Scripture, or by the example of the earlier ages of Chriſtianity. The duties of religion were neglected: Sports and recreations, which, when exerciſed in a moderate degree, are not unſuitable to the nature of *the ſeventh day*, were indulged in a latitude ſubverſive of that holy inſtitution. Nay, Sunday was then made a principal day for buſineſs; and, on that day, fairs and markets were regularly held *. An act of the legiſlature under James IV. had in vain been eſtabliſhed for correcting this abuſe. The council of Edinburgh now enacted, that the public markets of the city ſhould no longer be held on Sunday; and that no ſhops or taverns ſhould be open, or goods ſold *during divine ſervice*.

The firſt reformers ſeem to have entertained ſome whimſical ideas of analogy, between popery, or, as they termed it, idolatry and fornication, for both of which they entertained the utmoſt abhorrence. To repreſs iniquities which they deemed ſo odious, the magiſtrates of Edinburgh aſſumed to themſelves both legiſlative and executive authority, and exerted, in the moſt abſurd and tyrannical manner, thoſe powers which they had ſo illegally arrogated. They iſſued a proclamation, commanding all idolaters, (i. e. papiſts) fornicators, and adulterers, to depart from the town; but ſubjecting them, in the firſt place, to theſe penalties: 'The ſaid idolators to be defamed, by 'ſetting † them on the market-croſs, there to remain for the ſpace of 'ſix hours, for the firſt fault; carrying of the ſaid brothelers, whore-

'maſters,

* Act of parliament, 1503, c. 83. and 1579, c. 70; Council regiſter, v. 3. p. 55.

† Council regiſter, v 3 p 37.

'masters, and harlots, through the town in a cart, for the first fault; 1560.
'burning of both the kinds of the said persons in the cheek, for the
'second fault, and banishing the town; and for the third fault, to
'be punished *with death*.' In execution of this pious law, they ordered the deacon of the fleshers to be *carted* for adultery. The corporations * resented the indignity put upon their order; they assembled in a tumultuous manner, broke open the jail, and liberated the prisoner. The magistrates applied to the Lords of the privy-council for their assistance in punishing the rioters: A number of craftsmen were sent prisoners to the castle. But the deacons, upon professing their abhorrence at the late tumult, and making earnest and humble supplication, were acquitted of any concern in the riot, and obtained the release of their brethren.

Queen Mary by no means relished this conjunction of persons in the proclamation, 'papists and whoremongers.' She had lately arrived in Scotland. The manner of her reception tended not to alle- 1561.
viate the grief she † felt on leaving France. It was unsuitable to the elegance of her taste and the splendour of the court where she had hitherto resided. If the manners of the people were deficient in elegance, they were more so in complaisance. They had the barbarity to grumble at their Sovereign's enjoying that liberty which *should be possessed by all*, the liberty of worshipping God according to her own heart. On the Sunday after her arrival, the mob raised a tumult at the palace, and could hardly be restrained from interrupting divine service, nay, even from hanging the priest. And the magistrates of Edinburgh politely renewed their edict, banishing idolaters ‡ and whoremongers from the city within forty-eight hours from the date of the proclamation. The Queen sent a letter to the town-council, complaining of an edict so disgraceful and injurious to those of her religion. It produced an effect very different from what she intended. They again renewed the proclamation, with

* Council register, v. 3. p. 60. † Knox's hist. p. 284. and 287.; Robertson's hist. v. i. p. 263. and 266. ‡ Council reg. v. 3. p. 76.

1561. the additional ſeverity of commanding *, under very high penalties, thoſe perſons to depart from the town within twenty-four hours. But the council was equally puſillanimous and inſolent; for, when the Queen, who was highly enraged at the contemptuous behaviour of the magiſtrates, ſent an order to the council to deprive them of their offices, and elect others in their place, the council ſubmiſſively obeyed her commands. The Queen, at the ſame time, iſſued a proclamation, granting liberty to all good and faithful ſubjects to repair to, or remain in Edinburgh, at their pleaſure, which gave occaſion † to Knox to make this pleaſant obſervation: 'And ſo murderers, adulterers, thieves, whores, drunkards, idolaters, and all malefactors, gets protection under the Queen's wings, under colour that they were of her religion. And ſo got the devil freedom again; whereas before, he durſt not have been ſeen in day-light upon the common ſtreets.'

1562. The people diſplayed the exuberance of their gloomy and diſordered imagination, in the variety of puniſhments which they invented to repreſs popery and fornication. The iron rod, already ſtretched forth to cruſh carnal impurities, was twiſted into new ſhapes, and loaded with additional weight, to give it the ſmarter ſting. To the puniſhments already mentioned, ducking in filthy and ſtagnant‡ pools, and confinement to a diet of bread and water, in the moſt diſmal cells of a dungeon, were ſuperadded; yet, with all their deteſtation of uncleanneſs, they ſeem not to have been ignorant of the maxim ‖, 'that all things are lawful to the ſaints.' And from their abhorrence‡ to popery, they cut out the figure of St. Giles from the city-

* Council reg. v. 4. p. 15. and 16. † Knox's hiſt. p. 293.; Spottiſwood's hiſt. p. 183. ‡ Council reg. v. 4. p. 26. and 47.

‖ The Earl of Arran enjoyed his miſtreſs peaceably; but, when the Marquis de Elbeuf and the Earl of Bothwell, in a drunken frolic, paid her a viſit, addreſſes were preſented to the Queen, and tumults in the ſtreets were headed by the proteſtant Lords, to repreſs the horrid impiety; Knox's hiſt. p. 302. et ſeq.

§ Council reg. v. 4. p. 34; Knox's hiſt. p. 288. and 304. and 335.; Spottiſwood's hiſt. p. 188.

city-ſtandard, in room of which they ſubſtituted a thiſtle. With tumult and reproach, they diſturbed and inſulted the capital, the palace, and the Queen.

We ſhall anticipate ſomewhat in point of chronological ſeries, in order to diſmiſs an odious ſubject, which diſplays the legiſlature, or at leaſt the town-council of Edinburgh, as guilty of groſſer abſurdity and iniquity, in puniſhing of vice, than the people could have been by its commiſſion. The town-council, to fill up the meaſure of abſurdity, enacted, that unleſs burgeſſes daughters * were, at their marriage, *reputed pure virgins*, their huſbands ſhould not enjoy the freedom of the city, to which, in virtue of ſuch marriage, they would otherwiſe have been entitled. And moſt of the puniſhments enacted by the council againſt † fornication, popery, &c. received, by gradual ſteps, the ſanction of the legiſlature. It were ridiculous to ſuppoſe, that ſuch laws were made, ſuch ſeverities threatened, for ſpeculation only. The Sovereign, indeed, endeavoured to ſtop the execution of the moſt ſanguinary penalties: Yet we find, that the Archbiſhop of St Andrews was impriſoned in Edinburgh caſtle, for ſaying and hearing maſs ‡, and that he was afterwards hanged, (religion, indeed, was not aſſigned as the cauſe of his attainder); that a popiſh prieſt, a man ‖ of title and family, arrayed in his ſacerdotal robes, on two conſecutive days, was pilloried at the croſs of Edinburgh, and pelted with ſuch ſeverity by the rabble as to endanger his life; that ſeveral prieſts were puniſhed by exile and otherways; and, notwithſtanding the obſervation of a § late hiſtorian to the contrary, that a prieſt, on account of his religion, was actually hanged. 1563.

* Council reg. v. 7. p. 9. † Act of parliament 1567, c. 13. 1581, c. 106. 1592, c. 122. 1593, c. 168. 1594, c. 196. 1607, c. 1. ‡ Keith's catalogue of Biſhops, p. 24.; Spottiſwood's hiſt. p. 187. 252. ‖ Knox's hiſt. p. 370. † Spottiſwood's hiſt p. 183; Scott's hiſt. p 434.

§ Dr Robertſon obſerves, that not a ſingle Catholic ſuffered death on account of his religion. He quotes, for his authority, Leſlie de reb. geſt. Scot. p. 231. In one of the two

1566. Although the murders of Riccio, and afterwards of Darnley, were perpetrated in Edinburgh; yet, as theſe enormities ſprung from no commotion among the citizens, but from the jealouſy, reſentment, or ambition of thoſe who ſwayed the ſceptre, or ſurrounded the throne, theſe deeds of ferocity and darkneſs fall to
1567. be recorded in a hiſtory, not of the city, but of the court. Edinburgh was unhappily the theatre of a rapid ſucceſſion of the moſt atrocious crimes: The murder * of a favourite, in preſence of his royal miſtreſs, in the ſixth month of her pregnancy, countenanced by her partner in the throne: The aſſaſſination of the ſovereign in his own apartment, not without foul ſuſpicion of the blow having been directed by that hand which, of all others, ſhould have guarded him from harm; the undoubted murderer, ſcreened by a mock trial, and loaded with honours, prevailing, with proſtituted judges, to annul his marriage, upon trivial or ſcandalous pretences, and afterwards mounting the bed which he had already ſtained with treaſon

two editions which we have diſcovered of this book, the page alluded to reſpects the reign of Alexander III.; in the other, that of Robert Bruce. But, at any rate, Leſlie was dead before the inſtance we refer to happened. Spottiſwood has laboured to vindicate his maſter King James from having taken the blood of a prieſt on account of his religion. His metaphyſical diſtinctions do not convince us. It appears to us entirely the ſame, whether the prieſt was hanged for ſaying maſs, or ſo making unſatisfactory anſwers to the interrogatories put to him concerning the King's ſupremacy, or the papal juriſdiction. King James, no violent enemy to popery, was nevertheleſs jealous of his royal authority. In his conduct towards this prieſt, he ſeems to have had in his eye the example of that maſter in tyranny Henry VIII. whoſe conſcience and friendſhip would not allow him to behead Sir Thomas More *on account of religion*. But, upon his being inveigled to ſay, that any queſtion, with regard to the law which eſtabliſhed ſupremacy, was like a two-edged ſword, if a perſon anſwered one way, it would confound his ſoul, if another, it would deſtroy his body, he was indicted for *high treaſon*, and beheaded. We can perceive no difference in the caſes, except the perſonal character of the ſufferers; the one, a perſon eminent for learning and virtue; the other, a furious bigot, who was not however more remarkable for indiſcreet zeal and treaſonable doctrine, than the reformed preachers of the time; Robertſon's hiſt. vol. 1. p. 187.; Spottiſwood's hiſtory, p. 521.; Scott's hiſtory, p. 585.; Hume's hiſtory, v. 4. p. 151; Keith Cat. p. 117. * Robertſon's hiſt. v. 1. p. 358. 400, 419.; Hume's hiſt. v. 5. p. 110. 118.

treaſon and murder; beſpoke the perpetrators dead to every ſenti- 1567.
ment of honour and humanity; or, at leaſt, ſhowed, that their feeble calls could not be heard amidſt the moſt furious ſtorms of paſſion which could agitate the ſoul; and, at the ſame time, attracted the contempt and deteſtation, while they excited the amazement, of Europe.

A chain of events, ſo ſingularly ignominious, was not beheld in Scotland without indignation. One of the miniſters of Edinburgh, with a boldneſs * which reflects upon him an honour that will be obliterated only with all memory of the tranſaction, had already teſtified his duty to his Queen and his country, by the moſt earneſt diſſuaſives, and ſolemn proteſtations, againſt her marriage with Bothwell. Several of the nobility aſſociated themſelves in defence of the infant Prince, whoſe perſon was like to fall into very dangerous hands. They came to Edinburgh, which they entered without oppoſition †, and were joined by many of the citizens. They marched eaſtwards, to encounter the forces which the Queen and Bothwell had aſſembled on Carberry-hill. Guilt, with its companion fear, and the reluctance to fight in ſo bad a cauſe, diſperſed the Queen's army without a blow, and left its miſerable ‡ leaders no other reſource than to Bothwell precipitate flight, and to Mary ignominious ſurrender to a bigotted and ungenerous enemy. The aſſociated Lords conveyed the Queen to Edinburgh: She aſſiduouſly protracted the journey to a very late hour, wiſhing for the ſhades of night to conceal her diſgrace. The accumulated grounds of reproach, which we avoid to repeat, had ſo ſteeled the minds of the people, that neither fallen royalty, nor beauty in diſtreſs, could awaken them to compaſſion. Covered with duſt, and overwhelmed with grief and ſhame, ſhe entered Edinburgh, amidſt the inſults of the populace, a banner being carried before her, whereon was diſplayed

* Hume's hiſt. v. 5. p. 117. † Robertſon's hiſt v. 1 p. 426. ‡ Hume's hiſt. v. 5. p 122.; Robertſon's hiſt. v. 1. p. 430

1567. played her infant ſon, kneeling before the body of his murdered father, and praying, 'JUDGE AND REVENGE MY CAUSE, O LORD.' She lodged for that night in the Lord Provoſt's houſe, and was next day carried into confinement, in which hardly a ray of ſunſhine pierced through the gloom that overſhadowed the ſad remainder of her days.

After a reſignation of the crown was extorted from Mary, and the regency of the kingdom beſtowed upon the Earl of Murray, his firſt object was to obtain poſſeſſion of Edinburgh caſtle. Arms were unneceſſary to wreſt * that fortification from its corrupt and perfidious governor: The confident of the Earl of Bothwell, who had already, when he delivered to the Earl's ſervant his caſket of letters of the laſt importance, at the ſame time ſent intelligence to Bothwell's enemies to intercept them, could find no difficulty in deſerting the garriſon entruſted to his command. The price publicly ſtipulated for Edinburgh caſtle was five thouſand pounds, and the priory of Pittenweem. But the caſtle, ſo infamouſly ſold to the Regent, was not long retained in his intereſt. Sir William Kirkaldy, the
1570. governor, declared in favour of Mary; the city was ſometimes in poſſeſſion of the Queen's party, oftener in that of the † Regent, and was the ſcene of deſultory and cruel war between theſe contending factions. The Lords who favoured the King's cauſe, (for the parties were known by the appellation of *King's-men and Queens'-men*) applied for aſſiſtance to Elizabeth. It ſeems to have been the policy of that artful Princeſs to provide for her own ſecurity, by embroiling the affairs of the Scots in ſuch manner that their martial fire, conſumed in domeſtic diſſenſions, ſhould never ſpread into England. Elizabeth ſent a body of a thouſand foot, and three hundred horſe, under the command of Sir William Drury, to aid the King's party. They encamped, together ‡ with a body of Scots, at Leith. Sir William required Kirkaldy, the governor, to ſurrender the caſtle; but, while

* Spottiſwood's hiſt. p. 208. 213. † Robertſon's hiſt. v. 2. p. 4. 6. 2 C.

‡ Robertſon's hiſt. v. 2. p. 6.; Scott's hiſt. p. 448.

while they were negotiating, thoſe who were diſaffected to the Queen's intereſt having been commanded to leave Edinburgh, aſſembled in hoſtile manner, under a banner whereon this motto was diſplayed, 'FOR GOD AND THE KING,' which put an end to the treaty. 1570.

The war was carried on in various ſkirmiſhes, and in ravaging the lands of the reſpective leaders, as well as intercepting the proviſion of their parties; the repeated hoſtilities inflamed the factions with great cruelty. The Earl of Morton conducted a body of Scots, who adhered to the King, from Leith to Reſtalrig *, where they drew up in order of battle. The Queen's forces, led by the Earl of Huntly, and others of the nobility who favoured her cauſe, marched from Edinburgh to encounter them. The Engliſh General interpoſed. He endeavoured to accommodate their differences, and to ſpare the effuſion of blood. The armies ſeparated, agreeing to retire to their reſpective quarters. But this amicable accommodation became the means of the Queen's forces being enſnared by Morton's treachery. Making a circuit with his troops, they made an unexpected attack upon the Queen's, when entering the Water-gate, and killed about fifty of them; but, of Morton's followers, two † only were ſlain: And, to prevent the city being taken by ſurpriſe, a ſtrong gate was built by the Queen's party at the Nether-bow, a little above the one lately pulled down. In the courſe of the ſiege, the King's party marched from Leith; and, in order to provoke the Queen's forces to an engagement, they approached unwarily too near the caſtle. The Lord Methven ‡, and ſeven of his followers, were killed 1571. June 28. 1572.

* Scott's hiſtory, 449. 450.

† Spottiſwood's account of this ſcuffle is very different, and wears the ſtrongeſt appearances of improbability and fiction; beſides, the abſurdity of ſuppoſing Mary's partizans to pay the courteſy to Sir William Drury the General of the enemy, as to accompany him on his way to England. Sir William did not leave Scotland for long after. The place of the attack, and the vaſt diſparity in the number of the ſlain, confirm the teſtimony of Morton's treachery; Spottiſwood, p. 255.

‡ Scott's hiſtory, p. 452.

1572. led by ſhot from the garriſon. In revenge for the loſs they had ſuffered, as well as to diſtreſs the garriſon, the King's troops deſtroyed the mills on the Water of Leith. They, at the ſame time, put guards on the different avenues of the city, to cut off all ſupply of proviſions; and, in order to ſtrike terror into the country-people, they hanged two men for carrying ſheep to the market, and ſcourged five women, with great ſeverity, for ſimilar practices. The violence of party-ſpirit, heightened by mutual injuries, had now exaſperated them to ſuch a pitch of rancour, that the priſoners on each ſide, without reſpect to their quality or condition, were led to immediate execution, upon gibbets erected within ſight of their friends. It is ſaid, that the unhappy priſoners, by fifties * at a time, fell victims to ſuch ſhocking barbarity. At laſt, wearied with mutual ſlaughter, a truce was agreed on till the firſt of the enſuing month of January; and the Earl of Morton, now regent †, took the opportunity, in the mean time, to erect two bulwarks acroſs the high-ſtreet, nearly oppoſite to the tolbooth, to ſhelter the city from the cannons of the caſtle.

The truce being expired, the governor began early in the morning
Jan. 1. of the firſt of January to cannonade the city. Some of the artillery were pointed againſt the fiſh-market, which had been lately built. The bullets lighting among the fiſhes, ſcattered them about the ſtreets, and beat ſome of them ſo high, that the tops of the houſes received them in their fall. The ſingularity of the ſpectacle drew many people into the ſtreets; and the poorer ſort, incited by their deſire to make prey of the fiſhes, ran to gather them, regardleſs of the danger. A bullet lighting among them, five were killed, and four times that number dangerouſly wounded. Some time afterwards the cannons were directed againſt ſome thatched houſes nigh the Weſt-port. The frequent ‡ cannonading, and the wind, which blew very high, ſpread the

* Robertſon's hiſtory, v. 2. p. 31. † Scott's hiſtory, p. 454, 456. ‡ Scott's hiſtory, p. 457.

the flames; ſeveral houſes were burned, by which the citizens were greatly enraged againſt Kirkaldy. 1572.

The miſeries of civil diſcord led the nation to wiſh ardently for peace. A treaty to that effect was agreed * on betwixt the leaders of the oppoſite factions; but Kirkaldy would not be comprehended in it. The Regent ſollicited Elizabeth's aſſiſtance to reduce the caſtle; and Sir William Drury, who before this had left Scotland, returned with fifteen hundred foot, and a train of artillery †. He ſummoned Kirkaldy to ſurrender, who, in token of defiance, unfurled his enſign from the top of the garriſon. The Engliſh General and the Regent opened the trenches, and puſhed the ſiege vigorouſly. Five batteries were ‡ erected againſt the caſtle; one of them on the ſpot where Heriot's-hoſpital now ſtands, the other four, at nearly equal diſtances, in a curve line by the weſt of the caſtle; the laſt of them being raiſed in Bearford's park, a little to the weſtward of due north from the battery erected at the hoſpital. The fortreſs was defended with great gallantry; but a great part of the fortifications being demoliſhed, the well being choaked with rubbiſh, every ſupply of water cut off, and the garriſon, though reſolute, not animated with the undaunted and unconquerable ſpirit of their commander ‖, after a ſiege of thirty-three days, the caſtle was ſurrendered, the Engliſh General having promiſed, in the name of his miſtreſs, favourable treatment to the Governor. Elizabeth baſely gave him up to Morton, who rewarded his gallantry with a halter. Feb. 23. 1573. April 25. May 29.

By the treaty already mentioned, and the reduction of Edinburgh caſtle, the civil war was extinguiſhed, and Morton firmly eſtabliſhed in the regency. Avarice prompted him to acts of rapacity and oppreſſion; to theſe, his jealous attention to preſerve the plenitude of his power added cruelty. His adminiſtration became uni-

* Robertſon's hiſtory, v. 2. p. 46. Spottiſwood's hiſtory, p. 271.

† Holinſhed's hiſtory of England, p. 1867.

‡ Spottiſwood's hiſtory, p. 271.; Holinſhed's map of Edinburgh, A. D. 1573.

‖ Robertſon's hiſtory, v. 2. p. 47. 50.

1577. verſally odious; and he found it neceſſary to reſign the * govern-
March 12. ment into the hands of the young King. Edinburgh caſtle was at the ſame time ſummoned to ſurrender; but the governor, who was Morton's brother, refuſed to yield. Reſolved to ſtand a ſiege, he detached a party of the garriſon to the eaſt end of the city † to buy up proviſions; the citizens roſe to intercept their return; the ſoldiers fought their way through the citizens, killed one, and wounded ſeverals, but were obliged to drop their proviſions: And Morton, upon getting a pardon, whoſe ample terms did not, however, in the end, ſcreen him from puniſhment, reſigned the fortreſs.

1578. He embraced the firſt opportunity of reſuming the power he had ſo reluctantly quitted. Repairing ſuddenly to Stirling caſtle, where
May 24. the King reſided, he had addreſs enough to reinſtate himſelf in his authority, to obtain command of the garriſon, and cuſtody of the royal perſon. The King ſent a letter, lamenting his confinement to the Chancellor, and entreating him to raiſe all the forces he could muſter, to effectuate his releaſe. The citizens of Edinburgh being informed of the King's confinement, and an ambaſſador from England ‡ arriving at that critical moment, the people were alarmed with the moſt violent apprehenſions about his Majeſty's ſafety. They cried aloud, 'Morton has ſold us to the Engliſh: He is to deliver up the 'King to Queen Elizabeth.' The people roſe in arms, and the trained bands offered their ſervices to the Privy-council. Mean time Morton ſent a herald in the King's name, commanding the magiſtrates of Edinburgh to apprehend all thoſe who had taken arms within their juriſdiction. Diſtracted between ſuch oppoſite orders, pretended to originate from the ſame ſource, the Lord Provoſt went in perſon to Stirling, and was inſtantly committed priſoner to the caſtle of Down. An accommodation, however, was effectuated;

* Scott's hiſt. p. 466. 467. † It had probably been to the head of the Canongate; a fleſh-market was kept then, and long after, on the high ſtreet at the head of the Canongate; Gordon's map of Edinburgh, A. D. 1646.

‡ Scott's hiſt. p. 469. 470.; Robertſon's hiſt. v. 2. p. 72.

tuated; and Morton, finding that he could not keep the King per- 1579.
petually cooped up in Stirling Caſtle, ſuffered a parliament to be aſ- Oct. 20.
ſembled in Edinburgh. His Majeſty's introduction to the city was graced with an abſurd and expenſive pageant, which, while it teſtified the loyalty of the citizens, alſo diſplayed the pedantic and fantaſtical taſte of the times.

From the height of power, Morton traced his downfal, by ſteps neither gradual nor diſtant: But, even in dejection and diſgrace, he was the object of terror. Being charged with the murder of the 1580.
late King, apprehenſions were univerſally entertained that he would Dec. 30.
make ſome deſperate attempt upon the perſon of the Sovereign. Theſe * ſuſpicions were confirmed by Elizabeth's anxious and preſſing inſtances in Morton's favour. As no guard had hitherto ſurrounded the Scottiſh throne, King James applied to the town-council of Edinburgh to raiſe a hundred men to protect his royal per- Jan. 18.
ſon, and a hundred more to convey the Earl of Morton from the caſtle of Edinburgh to that of Dumbarton. The council complied with his requeſt; and the King, ſtill thinking himſelf inſecure, demanded of the city an additional company of a hundred men, to Feb. 22.
guard him in his palace of Holyroodhouſe, which the town accordingly granted.

Scotland being freed from the ſhackles of papal uſurpation, was well nigh ſubjected to a more formidable tyrant in the perſon of her deliverer. She preſerved her freedom and independence, but with difficulty: And to this ſtruggle between the civil and eccleſiaſtical ſtates, moſt of the troubles which diſtracted the nation for near a hundred years, may be imputed. If the Pope claimed, in religious matters, a ſupremacy over temporal ſovereigns, the preſbyterian declared his independence upon them, prudently chuſing a head, placed at a convenient diſtance. If, during the moſt arbitrary ſway of the Romiſh hierarchy, it was held impious to ſummon a churchman before a lay tribunal, the preſbyterian maintained, that, in point of

* Scott's hiſt. p. 476.; Council reg. v. 6. p. 114 122.

1580. doctrine, he was liable to the cogniſance only of a ſpiritual court; that, were treaſon itſelf to be delivered from the pulpit, it behoved it, in the firſt place, to be tried by the preſbytery, and that neither King nor council could decide upon it in the firſt inſtance. From his approach to the age of maturity, almoſt till his acceſſion to the throne of England, James, in the ſafety of his perſon, and ſtability of his throne, was expoſed to perpetual danger from the plots of turbulent nobles and factious churchmen; the former of whom ſought to aggrandize their reſpective families; the latter to exalt the clerical order, by a depreſſion of regal power. When we conſider, that he was alſo expoſed to the conſpiracies of papiſts, who, to introduce their ſuperſtition, ſcrupled not to expoſe the nation to ſubjection under a foreign yoke; to private reſentment, which armed the traitor with a mortal dagger: When we alſo reflect that he aſcended the throne, an infant of a year old, upon the expulſion of his predeceſſor; and that of the four Regents who adminiſtered the government during his minority, ambition or avarice were the ruling paſſions of the firſt and laſt of them; and that ſternneſs of temper, not to ſay downright cruelty, were the characteriſtic features of them both; we muſt admire the felicity of fortune, if not alſo the prudence in conduct, by which James, when he reſigned his life in the ordinary courſe of nature, tranſmitted to his ſon his native kingdom, as well as the greater dominions to which he ſucceeded. Perhaps we may revere the protecting arm of the Deity, who is preſumed to interpoſe, in a peculiar manner, in behalf of his anointed.

The benefices in Edinburgh, although pityful*, were the beſt livings in the church; we may therefore conclude, that the moſt eminent, or what in thoſe days was ſynonimous, the moſt ſeditious preachers in the church, were appointed to the paſtoral charge in Edinburgh.

* The ſalaries of the four miniſters of Edinburgh, (A. D. 1588) were, of the firſt, 600 merks, of the ſecond, 500, of the third, 300, of the fourth, 60.; Council reg. v. 8. p. 189.

Edinburgh. Like the firſt propagators of Chriſtianity, their poverty 1580.
expoſed them not to contempt. Poſſeſſing neither opulence nor ſplendor, they indulged the moſt refined ſpecies of pride, in an auſterity which deſpiſed them. Condemning the luxuries of life as criminal; rejecting its comforts as contemptible; abhorring the external ceremonies of religious pomp and worſhip, and unfettered by all its forms; they acquired a reputation for ſanctity, and inſpired the ideas of devotion, by a ſimplicity which rejected the aid of ornament, and left unbounded ſcope to the imagination, which they inflamed to a pitch of enthuſiaſm. By theſe means, they acquired over the people an influence ever fatal to the peace and happineſs of individuals, and the ſecurity of civil government, when poſſeſſed in ſuch extent by the clerical order; and they left to poſterity, the benefit of hiſtorical experience, inſtructing thoſe to whom the laws have entruſted the preſentation to churches, how much the duty they owe to the city and to the ſtate, requires their vigilance in ſcrutinizing the characters of clergymen, that thoſe of ſeditious principles may never be admitted into Edinburgh.

William, Earl of Gowry, having, at his houſe of Ruthven, ſei- 1582.
zed the King, he, with other Lords, kept his Majeſty* in con- Aug. 22.
finement, and directed affairs at their pleaſure. The pulpit reſounded with applauſes of the godly deed. An act of aſſembly was paſſed, declaring the conſpirators 'to have done good and acceptable 'ſervice to God, their Sovereign, and the country;' and threatening, with eccleſiaſtical cenſures thoſe who, by word or deed, ſhould oppoſe *the good cauſe*. The Lords brought the King to Edinburgh. The ſolemnity of his reception was characteriſtic of the manners of the times. He was met by the miniſters of Edinburgh. The whole proceſſion walked up ſtreets, ſinging a pſalm, expreſſive of their critical eſcape from danger, and the great deliverance they had obtained by the captivity and ſubjection of the King. The news of James's † confinement ſpread all over Europe; they even pierced the

* Spottiſwood's hiſt. p. 320. 322. † Robertſon's hiſt. v. 2, p. 95.

1582. the walls of her priſon, and reached the unfortunate Mary, whoſe maternal feelings they extremely agitated. Henry III. of France ſent an ambaſſador to Edinburgh, with inſtructions to exert his utmoſt endeavours to reſtore to the King his freedom and independence *. When the miniſters of Edinburgh underſtood the purpoſe of the embaſſy, they declaimed againſt the meſſenger and the errand with equal ſcurrility. La Motte, as a knight of the Holy-Ghoſt, diſplayed on his ſhoulder a white croſs. This they denominated, 'the badge of Antichriſt,' and La Motte himſelf, 'The 'ambaſſador of the bloody murderer,' (meaning the duke of Guiſe). The railings of the clergy, and the inſults of the populace, ſo diſguſted La Motte and La Meneville, his companion in the embaſſy, that they earneſtly urged their diſmiſſion. The King, vexed at this contemptuous treatment, and willing to ſhow reſpect to the ambaſſadors, deſired the magiſtrates of Edinburgh to entertain them. They were invited accordingly, and a day fixed for the banquet. The miniſters, highly provoked at this inſtance of reſpect, reſolved to diſappoint it. On the Sunday preceding, they ordained a faſt to
Feb. 16. be obſerved on the very day the magiſtrates had choſen for the entertainment. The day being arrived, to detain the people in church, three of their moſt famous preachers ſucceſſively mounted the roſtrum, and thundered curſes on the ambaſſadors and all who dared to entertain them; and they purſued the magiſtrates with eccleſiaſtical cenſures, for contemning the orders of the church.

1583. The King being eſcaped from confinement, Gowry was hardly pardoned, ere, in conjunction with the preachers, he hatched a new conſpiracy. The city of Edinburgh roſe in defence of the King. The inſurrections † were quelled, and an end was put to Gowry's trea-
1584. ſons. The miniſters of Edinburgh had all along juſtified *the raid of Ruthven*, (ſo the King's confinement by Gowry was called). One of them being ſummoned before the privy-council, refuſed to acknowledge himſelf to have been guilty of any offence. And one of the

* Spottiſwood's hiſt. p. 324. † Ibid. p. 330.

the miniſters of St Andrews being cited on the ſame account, declined the juriſdiction of the King and Council, and exclaimed, in [illegible] wrath, that 'the King perverted the laws both of God and 'man.' A parliament was held at Edinburgh. The authority of the King, and of the eſtates of parliament *, in all caſes, and over every [illegible]al and temporal, was confirmed. These ſtatutes, however, were enacted without oppoſition from the clergy. They deputed one of their number to wait upon the King, and entreat, that no act concerning the church ſhould be paſſed till they ſhould be heard. Inſtead of his meſſage being liſtened to, the Earl of Arran ſent him priſoner to the caſtle of Blackneſs; upon which the miniſters of Edinburgh inſtantly fled to England. One of them, however, bolder than his brethren, previous to his flight, repaired to the croſs, where, while the heralds, according to cuſtom, were proclaiming the ſtatutes, he ſolemnly took inſtruments in the hands of a notary, declaring the church's diſſent from theſe acts, and proteſting, that no obedience was due to them: And the abſent miniſters ſent a letter to the kirk-ſeſſion and town-council, reviling the meaſures of the court in the moſt opprobrious terms, and declaring 'The acts made in the late parliament, repugnant to the word of 'God, *and doctrine oftentimes preached by them.*' The kirk-ſeſſion and town-council, by the King's command, returned an anſwer to the miniſters, expreſſing their deteſtation of the treaſonable doctrines contained in their letter, and rejecting, as paſtors, thoſe who had deſerted their flocks. 1584.

The Lords who were exiled for having been concerned in the late conſpiracy, being pardoned, returned †; and the miniſters returned along with them. The chaſtiſement they had ſuffered for their recent follies did not teach them diſcretion. They inſiſted, that the late acts, which eſtabliſhed the King's authority in ſpiritual matters, and prohibited the clergy from meddling in ſtate affairs, and from railing 1585.

* Act of parliament James VI. parl. 8. c. 129. 130. 134; Spottiſwood's hiſt. p. 333. 334. † Scott's hiſt. p. 495.

1585. ing and ſlandering in the pulpit againſt the King, ſhould be repealed. Amidſt the reproaches they threw out againſt the King, for his refuſal to abrogate thoſe laws, one of them, preaching in Edinburgh, obſerved, 'That Captain James *, (the name they gave to 'the Earl of Arran), with his Lady Jeſebel, and William Stewart, 'were taken to be the perſecutors of the church; but that now it 'was ſeen to be the King himſelf, againſt whom he denounced the 'curſe that fell on Jeroboam, that he ſhould die childleſs, and be 'the laſt of his race.'

1586. Such was the virulence of hatred, or height of contempt, which they entertained for their ſovereign, that, when he commanded them to pray for his mother, on whom the rigorous policy of Elizabeth had pronounced ſentence of death, the King's own chaplains, and one other clergyman, alone complied. Willing to have their fault amended, particularly at Edinburgh, where the diſobedience was moſt glaring, the King appointed a new day, when prayers ſhould be ſaid for his mother. In order to prevent the cavilling of the eccleſiaſtics, he had been ſcrupulouſly cautious in the form of prayer he had choſen. It contained no other petition than charity would prefer for the † worſt of enemies; 'That it might pleaſe 'God to illuminate Mary with the light of his truth, and ſave 'her from the apparent danger with which ſhe was threatened.' The King, that he might not be expoſed to the inſult of a refuſal, in his perſonal preſence, ordered the Archbiſhop of St Andrews to preach before him. But, on the day appointed, when the King
Feb. 3. came into the church, he found the pulpit occupied by a young man, who had not yet received holy orders, and whom the miniſters of Edinburgh had inſtigated to mount the pulpit, to preclude the prelate. The King called to him from his ſeat, that the place was deſtined for another; yet, if he would obey the charge given, by remembering his mother in prayer, he might proceed to divine ſervice;

* Spottiſwood's hiſt. p. 343.; Scott's hiſt. p. 495. Scott's hiſt. p. 507.; Hume's hiſt. v. 5. p. 317.

† Spottiſwood's hiſt. p. 354;

ſervice; the preacher replying, that 'he would do as the ſpirit of 1586.
'God ſhould direct him,' ſufficiently indicated his purpoſe. He was commanded to leave the pulpit; and, as he ſeemed unwilling to obey, the captain of the guard went to pull him from his place; upon which he exclaimed, 'That this day would be a witneſs a-'gainſt the King in the great day of the Lord;' and, as he deſcended from the pulpit, he denounced a woe upon the inhabitants of Edinburgh, for ſuffering him to be ſo ignominiouſly treated.

James, unable to ſooth or to ſubdue the ſeditious ſpirit of the eccleſiaſtics, directed his attention to compoſe the perſonal quarrels, or family-feuds, which had long diſtracted the nobles, and had excited 1587.
great diſorder in the country. His good offices were productive of at leaſt apparent harmony; and, if he did not eradicate the ſeeds of contention, he, however, for a time, ſmothered them *. He celebrated their reconciliation in a royal banquet at Holyroodhouſe. From thence they walked hand in hand, each with his new made friend, to the croſs of Edinburgh, where they partook of a cold collation, drank to each other, in token of mutual reconcilement, and thus, as it were, pledged themſelves to the public for their future tranquillity and concord.

Freſh cauſes of quarrel, between the King and church, were ſtill ſpringing up. He had been induced, much contrary to his inclination, to 1592.
eſtabliſh the preſbyterian form of church † government; and to introduce a ſalvo, in explanation of the act 1584, eſtabliſhing the authority of the King in ſpiritual matters, and prohibing the clergy from meddling in ſtate affairs. By this ſalvo, the privileges warranted by the word of God were reſerved to them. Such able caſuiſts were at no loſs in explaining, as they pleaſed, ſo vague a reſervation. Still, however, the church was not ſatisfied; and both parties either felt, or affected, mutual fears and jealouſies. It was the fortune of James hardly to have eſcaped from one ſnare, ere he fell

* Spottiſwood's hiſt. p. 364. † James VI. parliament 12. c. 114; Robertſon's hiſtory, v. 2. p. 208.

1592. into another. The Popiſh Lords formed a conſpiracy to eſtabliſh the Roman Catholic religion; and to that effect, had reſolved to join and aſſiſt Spaniſh forces in making invaſion of England. The facility of James's temper would not permit him to proſecute the conſpirators with that rigour to which he was urged by the eager zeal of the eccleſiaſtics. This lenity excited great diſcontent, and became, [illegible] the ſubject of declamation from the pulpit. Yet, at the ſame time, Both-
1594. well, as he did not belong to the Popiſh faction, was encouraged by the clergy in his treaſonable attempts upon the King. Nay, the money which had been collected for relief of the diſtreſſed † proteſ-
1596. tants in Geneva, was applied by the miniſters to raiſe men to aſſiſt Bothwell. It were tedious and trifling to relate the various diſputes, between the King and Church, about pardoning the Popiſh Lords. They evinced the low ebb to which royal authority was reduced: And they will be beſt explained in his own words to the Clergy's committee ‡ upon grievances, 'There could be no agree-'ment, ſo long as the marches of the two juriſdictions were not 'diſtinguiſhed.' The clergy had already, upon the return of the Popiſh Lords, founded the alarm all over the kingdom, and convocated the moſt eminent of their number to Edinburgh, there to reſide conſtantly, under the name of the *Standing Council of the Church*, and to be veſted with its *ſupreme authority*; when the ravings of one Black, a miniſter at St Andrew's, brought this rupture between the King and the Church to a criſis, which had well nigh accompliſhed the deſtruction of the metropolis, or of the Sovereign.

This Black affirmed from the pulpit, that the King had permitted the return of the Popiſh Lords, and thereby detected the treachery of his own heart: That all Kings were the Devil's children: That Satan had the guidance of the court: That Queen ‖ Elizabeth was an

* Robertſon's hiſtory v. 2. p. 209. 214. † Spottiſwood's hiſtory, p. 402.
‡ Spottiſwood's hiſtory, p. 419. ‖ Spottiſwood's hiſtory, p. 420. 423. 425.; Robertſon's hiſtory v. 2. p. 229.

an atheiſt: That the Lords of Seſſion (one of whoſe bills of ſuſpenſion 1596.
he learnedly diſcuſſed in his ſermon) were a ſet of miſcreants and bribers: And that the nobility were enemies to the church, falſe, godleſs, and degenerate. The clergy deemed even this man not unworthy of their countenance and protection. Being ſummoned before the Privy-Council, to anſwer for his treaſonable diſcourſes, they oppoſed the ſhield of ſpiritual juriſdiction, to protect him from royal vengeance. Black diſavowed the authority of the Privy-Council; and the *Standing Council of the Church*, which ſtill continued at Edinburgh, ſent a ſolemn inſtrument diſavowing their authority, to be ſubſcribed by all the preſbyteries in Scotland; and recommended to the miniſters, in their public and private prayers, to commit the *good cauſe* to God; and to employ their credit, and exert their labours, among their reſpective flocks, towards its maintenance and ſupport. The King, incenſed at proceedings tending ſo directly to mutiny, iſſued a proclamation, requiring the commiſſioners of the church to depart from Edinburgh within twenty-four hours. Upon this they aſſembled, and reſolved *, '*That, ſince they were convened by the warrant of* '*Chriſt, they ſhould obey God rather than man,*' and continue together, notwithſtanding any charge that might be given them. The articles of accuſation againſt Black being fully proven, the King did not proceed in paſſing judgment, being deſirous that the commiſſioners of the church would themſelves pronounce ſome ſlight cenſure, or inflict ſome trifling puniſhment upon Black, with which the King declared he would be contented. But the commiſſioners replied, 'A puniſhment could not be inflicted where no cognition 'had preceded; for, as to the trial taken, neither was it done by 'the proper judges, nor was that equity obſerved which ought to 'have been; witneſſes that were under the cenſures of the Church, 'and ill affected to Mr Black, having been admitted to depone † (i. e. de-'poſe) againſt him.' In vain did his Majeſty ſeek to remove all objec-

 tions

* Spottiſwood's hiſtory, p. 422. † Ibid. p. 426.

1596. tions to the trial. Every thing which candour and impartiality could deviſe, was offered by the King, and rejected by the clergy. They imagined themſelves to be the injured party, and declared that, ſince they ſaw 'the faithful paſtors of the church reviled and 'purſued, they could not abſtain from oppoſing theſe proceedings, 'with the ſpiritual armour given them by God.' They accordingly ordained a faſt to be kept the Sunday following, with ſolemn prayers to God to avert the impending judgments.

The King publiſhed a declaration, tending to exculpate himſelf from the calumnies of the clergy; requiring anew the commiſſioners of the church to depart from the city, as alſo twenty-four of the burgeſſes who had become odious and ſuſpected, on account of their profeſſed attachment to the miniſters. Fears and jealouſies were kept alive and inflamed by rumours, which, whatever might be their foundation, artfully propagated, that a ſtrong guard had aſſembled, to defend the miniſters againſt the violence which was dreaded from the King; and, that the King's meaſures were directed by the Popiſh Lords who had been ſecretly admitted into his preſence. Diſſentions were fomented by deſigning people, who heightened the apprehenſions of the clergy, by a counterfeit letter, recommending it to them to provide for their ſecurity againſt the combinations of Papiſts, who guided the royal councils. Perſuaded of the truth of this intelligence, and ſincerity of this advice, the miniſter who preached in rotation deſcanted upon the troubles of the church, and the treacherous proceedings of the court. He excited the nobles to emulate the virtues of their anceſtors, by whoſe zeal and fortitude the true religion had been planted; alarmed them with apprehenſions of the imminent perils which threatened the
Dec. 17. church; and, finally, requeſted the nobles and barons to meet in the *Little Church* after ſermon, and aſſiſt the miniſters with their advice, in ſo critical a ſituation. They aſſembled accordingly, and drew up a petition, which ſix of their number preſented to the King, who was then in the upper room of the court of ſeſſion, at that time held

held in the tolbooth. The contents of the petition, as well as the indiſcreet and undutiful expreſſions which accompanied its delivery, offended the King; and as he at the ſame time obſerved a number of people thronging rudely into the room, he roſe from his chair, and ſtepped to the apartment beneath, where the judges were then ſitting, and commanded the doors to be ſhut behind him. Meantime, the multitude, who continued aſſembled, expecting the return of the deputies, were entertained by a miniſter with the ſtory of Haman. Being ſeaſoned with ſo wholeſome an example, of which the application was obvious, their minds were in excellent frame for a tumult, when the deputies returned, informed the people, that the King would not liſten to their petition, and ſuggeſted, at the ſame time, that ſome other courſe ſhould be taken. 1596.

The minds of the people, thus artfully inflamed, burſt forth into an exceſs of popular fury. The meeting was filled with tumult and uproar. Confuſed exclamations were echoed through the aſſembly; ſome calling for their arms, ſome, 'bring forth Haman,' and others, 'the ſword of the Lord and Gideon.' They ruſhed forth, and aſſaulted the tolbooth, in which were the King, the judges, and chief officers of ſtate. It is not the province of hiſtory to form conjectures of the conſequences which would probably have followed, had the tumultuous crowd ſucceeded in their attempts to force the gates. Happily they were baffled by the courage and loyalty of one of the deacons, aſſiſted by his corporation; by the addreſs of the Lord Provoſt, who ſoothed the rabble; by the promiſes of the King to receive their petitions, when preſented in a regular manner, and by the endeavours of the clergy themſelves, who were confounded at the violence of the outrage which they had occaſioned. The mob diſperſed, and the King returned without moleſtation to the palace.

The nobility, barons, and miniſters, aſſembled in the afternoon, to prepare a petition which the King had promiſed to receive. When the terms of the petition were adjuſted, they appointed a committee, of whom the Laird of Bargeny was principal, to preſent it to the Sovereign.

1596. Sovereign. The King, underſtanding that the committee was at the gates of the palace, ſent Lord Ochiltree to tamper with Bargeny, not to preſent the petition; and, having prevailed with him, the reſt of the committee alſo declined to preſent it, on their ſeveral failing to concur.

Early on the next morning, the King and Privy Council departed for Linlithgow. A proclamation was publiſhed at Edinburgh that ſame day, ſetting forth, That, on account of the late treaſonable uproar, in which a number of citizens, inſtigated by the miniſters, had taken arms to bereave the King and council of their lives, his Majeſty deemed Edinburgh an unfit ſeat of reſidence for the court, or for the adminiſtration of juſtice: He, therefore, required the college of juſtice, the inferior judges, and the nobility and barons, to retire from Edinburgh, and prohibited them from returning without his expreſs licence. The calamity in which Edinburgh was plunged, was of ſuch a nature, as to be inſtantly perceptible to the citizens, on whom it operated ſtrongly, producing in them a hearty deſire to obtain a reconciliation with the King. Not ſo the miniſters: They reſolved that the conteſt ſhould be maintained; that the nobility and barons ſhould not be diſperſed by the royal proclamation, but that new ones ſhould be aſſembled to ſupport *the good cauſe*. A bond to that effect was accordingly drawn up; but the town-council declined to ſubſcribe it, on the moſt ſpecious pretences they could alledge: And, to keep the minds of the people in proper tone, a faſt was proclaimed through the city, and ſermons of preparation ordained to be made that ſame afternoon. The miniſter who preached in St Giles's church choſe for his theme the tribulations of the church of Epheſus; her courage and conſtancy under ſufferings; and the glorious reward to be given to him who overcometh, 'To 'eat* of the tree of life, which is in the midſt of the paradiſe of 'God.' He railed furiouſly againſt the King, exclaiming, that he was poſſeſſed of a devil: That one devil being put out, ſeven worſe were

* Revelations, chapter ii.

were entered in his place: And that the ſubjects might lawfully riſe, and take the ſword out of his hand. In the mean time, a letter was deſpatched by the miniſters of Edinburgh to Lord Hamilton, informing him, that the citizens and godly barons, animated by God's ſpirit, had taken arms in behalf of the church, which they had engaged to patronize: That they wanted a nobleman, whom diſtinguiſhed rank and abilities entitled to be their leader; and, as ſuch, they had unanimouſly pitched on Lord Hamilton, whom, for that purpoſe, they entreated to come to Edinburgh. His Lordſhip, inſtead of joining the treaſonable convention at Edinburgh, repaired to Linlithgow, and ſhowed their letter to the King. Provoked by this additional inſult, his Majeſty directed a charge to the magiſtrates of Edinburgh to incarcerate the miniſters; but they having ſome how got intimation of their danger, eſcaped impriſonment by ſpeedy flight. 1596.

A deputation of the moſt reſpectable burgeſſes, ſent to the King, attempted in vain to mitigate his reſentment. He came to Leith on the laſt of December, and his entry to Edinburgh on the following day was in this manner. The keys of the city were delivered to one of his officers; the charge of the town was committed to the Earl of Marr, with the Lords Seaton and Ochiltree. The citizens were ordered to keep within their houſes, and the ſtreets were lined with a double file of guards, between whom the King and his train rode to the tolbooth: Nor was there a ſpectator to view this ſilent and ſolemn proceſſion. A convention of eſtates was there aſſembled, before whom the magiſtrates humiliated themſelves with the moſt ſubmiſſive proſtration. They utterly diſclaimed all foreknowledge of the tumult; declared their reſolution to continue in the moſt diligent ſearch for diſcovering its authors, that they might be brought to condign puniſhment; profeſſed the moſt loyal attachment to the King; made offers, that none of the ſeditious miniſters ſhould be allowed to return to their charges, or others be admitted to the paſtoral office within the city, but with his Majeſty's approbation; Dec. 27. Jan. 1.

approbation; and that, in the election of their magiſtrates, they ſhould preſent to his Majeſty, and his Lords of Council and Seſſion, *leets* * of the perſons they meant to chooſe, and whom his Majeſty and their Lordſhips might approve or reject at pleaſure. The earneſt ſupplications of the magiſtrates, and the warm interceſſions of ſome of the nobles, in behalf of the city, were urged in vain. The convention of eſtates declared the late tumult to be high treaſon, and that the city itſelf ſhould be ſubjected to all the penalties of that crime, if the magiſtrates did not diſcover the authors, and inflict on them exemplary puniſhment. Nay, it was even propoſed, that the city ſhould be razed to the foundation, and a pillar erected on the place, as a monument of its blaſted treaſons.

Edinburgh was now reduced to deſolation and deſpair. Stripped of thoſe advantages which enrich and adorn a metropolis, the preſence of the Sovereign, the reſidence of the ſupreme judicatories, and the concourſe of all ranks which ſurround the throne, ſhe found alſo her miniſters fled, her magiſtrates degraded, and her walls themſelves threatened to be levelled with the duſt; her anxiety under misfortunes was ſwallowed up in more alarming apprehenſions of deſtruction.

As James's ſeverity againſt Edinburgh was dictated rather by policy than inclination, Elizabeth's interpoſition in favour of the city afforded a decent pretext for abating his rigour. Still, however, it was reſolved to proſecute the city criminally, and, for that purpoſe, the town-council, as its repreſentatives, were ordered to enter themſelves in ward, in the town of Perth, by the firſt of February. Upon their petition, however, the term for their appearance was prorogued to the firſt of March: And, inſtead of the whole council being required to ſurrender themſelves, the appearance of thirteen of its members was declared to be ſufficient, provided they were poſſeſſed of a commiſſion, impowering them to appear for, and by appearing,

* A leet is a term in the Scots law, ſignifying a liſt of names of perſons who may be choſen to bear certain offices, given by electors, to a different body of electors, to be by them rejected or approved, in whole, or in part, according to the conſtitution of different bodies politic, and inclination of the electors.

ing, to ſubject the whole council. The trial commenced on the 1596.
fifth of March. It was brought to an iſſue equally ſpeedy and fatal. One of the requiſite number having failed to appear, advantage was taken of the point of form, and the cauſe decided in the March 5.
manner cuſtomary when defenders fail to appear. The community were declared rebels, and their revenues eſcheated.

For fifteen days the city remained in a ſtate of anarchy *; but, upon the ſupplication of the magiſtrates and council, and their offer to ſubmit themſelves entirely to the King's mercy, he reſtored the community againſt the forfeiture; exacting, however, the following conditions, beſides thoſe already offered: That the houſes which had been poſſeſſed by the miniſters ſhould be delivered up to the King, March 21.
and the miniſters afterwards live diſperſed through the different quarters of the city, each in his reſpective pariſh: That the town-council houſe ſhould be appointed for accommodating the court of exchequer: That the town ſhould become bound for the ſafety of the Lords of Seſſion in their perſons and eſtates, againſt any attempts of the burgeſſes, under a penalty of forty thouſand merks; and, that the town ſhould pay twenty thouſand merks to his Majeſty †.

The King's reſentment againſt the clergy ſoon abated, and he ſuffered the degraded miniſters ‡ of Edinburgh to be reinſtated. The year, which ‖ formerly began on the twenty-fifth of March, was now ordained to begin on the firſt of January. Nothing farther of 1600.
moment happened till James's acceſſion to the throne of England. Before his departure from Edinburgh, he went to St Giles's church, 1603.
there, as it were, to bid ſolemn farewell to his people. The congregation aſſembled on ſo ſingular an occaſion §, was extremely numerous. The miniſter preached an exhortatory diſcourſe, which the April 4.

* Spottiſwood's hiſt. p. 427—433. 442. 443.; Council reg. v. 10. p. 105. 106. 111. 117.

† The citizens finding it very troubleſome to keep watch in perſon, a guard of thirty men was at this time appointed by the council for keeping watch in the city; Council reg vol 10. p. 147. ‡ Spottiſwood's hiſt. p. 449. ‖ Scott's hiſt. p. 552.

§ Spottiſwood's hiſt. p. 476.

1603. King took in good part; and, when it was concluded, his Majeſty obſerving the people to be exceedingly affected, addreſſed them in the warmeſt language of friendſhip, requeſting them not to be dejected at his leaving them, ſince, as his power to ſerve them was increaſed, his inclinations, he aſſured them, were not diminiſhed.

CHAPTER

CHAPTER II.

MANNERS of the antient Scots—Their Dreſs and Table—Their Houſes and Furniture—Their Learning—Art of Printing—Trade—Navigation—Spirit of Chivalry, and its Effects—Religious Ceremonies—Dramatic Repreſentations—Game of Robin Hood—Maſs of Requiem—Hoſpitality of the Popiſh Eccleſiaſtics—Poverty of the Reformed Clergy—Diſcovery of Coal—Value of Money—Table of the Prices of Proviſions from A. D. 1000 *to* 1600—*Specimens of the Table of King James* IV.

HISTORY affords entertainment and inſtruction, in ſo far as it delineates manners; and its merit may be ſaid to be proportioned to the juſtice and livelineſs of the picture which it preſents. The darkneſs which hangs over the period we have deſcribed, allows us to offer but a *ſketch* of the manners of the people, and the prices of proviſions, in the different ſtages of this aera.

After making allowance for the peculiarities which diſtinguiſh national characters, we will find, that the character of different people, in the ſame ſtate of ſociety, is very ſimilar; and that their manners improve with their knowledge in arts and ſciences, till they have arrived at an acmè of refinement, which degenerates into the baſeſt corruption. It would ſeem, that there is one exception to this rule, namely, in the firſt ſtage of ſociety, when hunting and war are the ſole occupations of a people; or, at leaſt, that ſuch an exception is to be found among the antient Caledonians. To reject the authenticity of the poems of Oſſian, we apprehend impoſſible; yet, to admit ſuch dignified ſentiments, ſuch purity of manners, as have not prevailed generally among the moſt poliſhed nations, to ſubſiſt in the

earlieſt and moſt illiterate ſtages of ſociety, contradicts every principle which an obſervation of its progreſs has enabled us to form. It is ſtill more unaccountable, that with a people ſo pure, ſo honourable amidſt their ignorance; the dawn of arts, of letters, and of the Chriſtian religion, ſhould be accompanied with their degeneracy into groſs barbariſm: And that Chriſtianity, with its introduction, ſhould confirm, by example, the truth of the doctrine which it inculcates, 'That a 'taſte for knowledge expells from a ſtate of paradiſe.' We ſhall not attempt to reconcile difficulties by ſophiſtical reaſoning, but will rather reſt under the mortifying acknowledgement, that, although the fact undoubtedly ſo ſtands, we cannot ſatisfactorily account for it. The manners of the Caledonians, as repreſented by Oſſian, are ſo generally known, that to deſcribe them here would be ſuperfluous; nor, indeed, could juſtice be done to them in an abridgement. To us is left the ungracious taſk, to mark how widely ſucceeding ages, in a more advanced ſtage of ſociety, deviated from the virtues of their anceſtors. The feudal tenures which prevailed in Scotland; the unlimited juriſdiction enjoyed by the greater barons over their numerous followers, many of whom were their abſolute ſlaves, were of themſelves utterly incompatible with good order; ſo that, although the King had a nominal ſupremacy over the whole, yet he poſſeſſed not power to render his authority effectual; and every great baron, in effect, was, in his own domains, a petty, yet abſolute tyrant. In a ſyſtem of government, where a few are poſſeſſed of uncontrouled authority, and where the multitude are abſolutely dependent on their pleaſure; where no redreſs can be obtained for injuries but by applying to one tyrant to aſſault another; where alſo the minds of the people are not enlightened nor humanized by ſcience, and where they have neither arts nor commerce to afford them occupation; we need hardly apply to the teſtimony of hiſtory to be aſſured of the prevalence among them of thoſe diſorders which flow from an unlimited ſway of the fiercer paſſions: That their hiſtory was but a narrative of the various effects of cruelty, treachery, ſuperſtition, and luſt;

luſt: That, of their Monarchs, from Fergus, *the ſecond of that name*, in their ideal catalogue of Kings, down to James VI. one half periſhed by violent death: That towards each other they practiſed oppreſſion and deceit: That they united, however, againſt a ſtranger, whom they invariably conſidered as an enemy: That the great barons, as they enjoyed the fruits of every thing elſe, ſo they cropt the virginity of the damſels born in their territories: And that perſonal courage was perhaps the only qualification which they poſſeſſed that can be ranked among the catalogue of virtues.

Even in the reign of David II. the manners of the Scots ſeem to have been hardly unſuitable to the foregoing deſcription. Ambaſſadors from France came to Scotland, accompanied with a train of nobility, and a body of ſoldiers. They ſucceeded in their purpoſe of inducing the King to invade England. The ſtate in which they found this country is accurately deſcribed by a contemporary * hiſtorian, who is by no means deemed unfavourable to the Scots. In Scotland, ſays he, a man of gentle manners, or honourable ſentiments, is not eaſily to be found. He adds, that thoſe of their country are like wild and ſavage people, ſhunning acquaintance with ſtrangers, envious of the honour or profit of every one beſide themſelves, and perpetually jealous of loſing the mean things they have: That hardly any of the nobility kept intercourſe with the French, except the Earls of Douglas and Murray: That Edinburgh, although by this time the firſt city in Scotland, could not accommodate the French, many of whom were obliged to ſeek lodging at Dunfermline, and other towns at ſtill greater diſtances: That the French knights complained grievouſly of their wretched accommodation; no comfortable houſes, no ſoft beds, no walls hung with tapeſtry: And that it required all the prudence of the French commander, to reſtrain their impatience for leaving ſo miſerable a country: That, when they wanted to purchaſe horſes from the Scots, they were charged ſix, nay even ten times the price for which theſe horſes would

* Bourchiers Froiſſart, vol. 1. p. 8. and 10. v. 2. p. 3. and 4.

would have been ſold to their own countrymen: That, when the French ſent forth their ſervants a-foraging, the Scots would lie in wait for them, plunder them of what they had gathered, beat, nay even murder them: That they could not find ſaddles nor bridles, leather to make harneſs, nor iron to ſhoe their horſes; for that the Scots got all ſuch articles ready-made from Flanders *: That, in their military excurſions, they carried along with them no proviſion of bread nor wine, no pots nor pans; for that they boiled the cattle in their hides. That, upon their precipitantly quitting their camp on the borders, the Engliſh found in it the carcaſes of five hundred beaſts, moſtly deer, and three hundred cauldrons made of their ſkins, with the hair ſtill on them, ſtretched on ſtakes, filled with water, and the fleſh put in them, ready to be boiled: That they found alſo a thouſand ſpits, with fleſh for roaſting, and five thouſand pairs of ſhoes † made of raw leather, with the hair ſtill on them.

In a period, later by two hundred years, the manner of living among the Scots was greatly improved. Upon their being defeated in the battle ‡ of Pinkey, the Engliſh found in their camp, oat-meal, oat-cakes, wheaten-bread, butter, cheeſe, ale, wine, and, in ſome of the tents, ſilver-plate and chalices. Sill, however, their manner of living makes a wretched figure, when compared with modern refinement. It is accurately deſcribed by an Engliſhman who viſited Edinburgh, A. D. 1598. 'Myſelf,' ſays he, 'was at 'a knight's houſe ‖, who had many ſervants to attend him, that 'brought in his meat with their heads covered with blew caps, the 'table being more than half furniſhed with great platters of porridge, 'each having a little piece of ſodden meat; and, when the table was 'ſerved,

* Froiſſart vol. 1. p. 8. and 10.; Buchanani op. v. 1. p. 152.; Holinſhed's hiſt. of Scot. p. 226.

† Notwithſtanding this, the method of tanning leather was known, long previous to this, in Scotland; Leges Burgorum, cap. 98. Statut. Gildae c. 41.

‡ Holinſhed's hiſt. of Eng. p. 988. ‖ Moriſon's itinerary, part 3. b. 3. c. 4. p. 155. and 156.

'ſerved, the ſervants ſat down with us; but the upper meſs, inſtead 'of porridge, had a pullet, with ſome prunes in the broth. And I 'obſerved no art of cookery, or furniture of houſhold-ſtuff, but ra- 'ther rude neglect of both, though myſelf and my companion, ſent 'from the Governor of Berwick, about bordering affairs, were en- 'tertained after their beſt manner. The Scots living then in fac- 'tions, uſed to keep many followers, and ſo conſumed their reve- 'nue of victuals, living in ſome want of money. They vulgarly 'eat hearth cakes of oats, but, in cities, have alſo wheaten bread, 'which, for the moſt part, was bought by courtiers, gentlemen, 'and the beſt ſort of citizens.

'They drink pure wines, *not with ſugar, as the Engliſh*; yet, 'at feaſts, they put comfits in the wine, after the French manner; 'but they had not our vintners fraud to mix their wines. I did 'never ſee nor hear, that they have any public inns with ſigns 'hanging out; but the better ſort of citizens brew ale, their uſual 'drink, (which will diſtemper a ſtranger's body); and the ſame 'citizens will entertain paſſengers upon acquaintance or intreaty. 'Their bed-ſteads were then like cupboards in the wall, with doors 'to be opened and ſhut at pleaſure, ſo as we climbed up to our beds. 'They uſed but one ſheet, open at the ſides and top, but cloſe at 'the feet *, and ſo doubled.'—When paſſengers go to bed, their 'cuſtom was to preſent them with a ſleeping cup of wine at part- 'ing. The country-people and merchants uſed to drink largely; 'the gentlemen ſomewhat more ſparingly; yet, the very courtiers, 'by night meetings, and entertaining any ſtranger, uſed to drink 'healths not without exceſs; and, to ſpeak truth without offence, 'the exceſs of drinking was then far greater in general among the 'Scots than the Engliſh. Myſelf being at the court, invited by 'ſome gentlemen to ſupper; and being forewarned to fear this ex-

'ceſs,

* The ſame prevails univerſally in Scotland at this day

'ceſs, would not promiſe to ſup with them, but upon condition 'that my inviter would be my protection from large drinking, 'which I was many times forced to invoke, being courteouſly enter-'tained, and much provoked to carouſing; and ſo for that time a-'voided any great intemperance. Remembering this, and having 'ſince obſerved, in my converſation at the Engliſh court with the 'Scots of the better ſort, that they ſpend great part of the night in 'drinking, not only wine, but even beer; as myſelf cannot accuſe 'them of any great intemperance, ſo I cannot altogether free them 'from the imputation of exceſs, wherewith the popular voice char-'geth them.

The huſbandmen in Scotland, the ſervants, and almoſt all the 'country, did wear coarſe cloth made at home, of grey or ſky-co-'lour, and flat blew caps, very broad. The merchants in cities 'were attired * in Engliſh or French cloth, of pale colour, or min-'gled black and blew. The gentlemen did wear Engliſh cloth or 'ſilk, or light ſtuffs, little or nothing adorned with ſilk lace, much 'leſs with lace of ſilver or gold. And all followed at this time the 'French faſhion, eſpecially in court. Gentlewomen married did 'wear cloſe upper bodies, after the German manner, with large 'whale-bone ſleeves, after the French manner, ſhort cloaks like the 'Germans, French hoods, and large falling bands about their necks. 'The unmarried of all ſorts did go bare-headed, and wear ſhort cloaks 'with moſt cloſe linen ſleeves on their arms, like the virgins of 'Germany. The inferior ſort of citizens wives, and the women of 'the country, did wear cloaks made of a coarſe ſtuff, of two or three 'colours, in checker work, vulgarly called Plodan †. To conclude, 'in general, they would not at this time be attired after the Engliſh 'faſhion in any ſort; but the men, eſpecially at court, follow the 'French faſhion; and the women, both in court and city, as well 'in cloaks, as naked heads, and cloſe ſleeves on the arms, and all 'other

* Moriſon's itinerary, part. 3. b. 4. c. 3. p. 179. and 180. † i. e. Plaiding, or plaids.

'other garments, follow the faſhion of the women in Germany'.

As almoſt every article of dreſs was of foreign manufacture, which indeed is too much the caſe at this day, indulgence in ſplendid attire, in a ſtate that cannot be deemed commercial, was very pernicious. The exceſſive price of cloaths put it out of the reach of moſt people to gratify themſelves in that ſpecies of luxury; yet, as there are never wanting thoſe who affect a diſplay of finery, however unſuitable, it was found neceſſary to reſtrain* exceſs in dreſs by ſumptuary laws.—Mournings † were firſt worn in Scotland upon the death of Magdalen of France, James V.'s Queen; but fans in the ladies hands, and gentlemens ‡ cork-heeled ſhoes, are mentioned in an early period of Scottiſh hiſtory. Beſides theſe, the oſtrich-feather, which waved on the head ‖, and the roſes diſplayed at the knees and ſhoes, are numbered among the gaieties of former times.

The table, however, of a Scottiſh grandee, was undoubtedly ſuperior to what has been already repreſented. The meats provided for royal entertainments §, in variety were conſiderable, in quantity were enormous. There were provided for a Chriſtmas dinner at court, for jellies alone, five hundred ox feet, fifteen hundred ſheep feet, and thirty-ſix cocks; (for, of theſe ingredients were their jellies compoſed). As the French faſhion was adopted in cloaths, ſo probably it was in cookery, which, indeed, was by this time introduced into England, where, at entertainments**, double courſes were regularly ſerved. Beſides, it had already been deemed neceſſary in this country, to reſtrain the luxury of the table by a ſumptuary law, prohibiting †† any, under the rank of Archbiſhop or Earl, to have

* James II. parliament 14. c. 70.; James VI. parliament 7. c. 113. † Scott's hiſtory of Scotland, p. 344. ‡ Reliques of antient poetry, v. 1. p. 80. ‖ James VI. parliament 23. c. 25.: See alſo the coins of James V. § Compt of the King's houſehold expences, made by the Biſhop of Caithneſs comptroller, A. D. 1511. MS. General regiſter-office for Scotland. ** Dugdale's origines juridicales, p. 132. and 154.; Life of Lord Herbert of Cherbury, p. 5.

†† Holinſhed mentions the introduction of baked meats into Scotland, in the reign of James

at his table more than eight* diſhes; of Abbot, *Lord Prior*, or Dean, above ſix; of Baron or Freeholder, above four; and of burgeſs above three. But an exception is made as to entertainments at marriages, and thoſe given to foreigners; in which caſes, no reſtriction is laid upon the entertainer. By this time, alſo, a delicacy was affected in the choice of the veſſels which pleniſhed the ſide-board; and the cuſtom was introduced of ladies and gentlemen ſitting † alternately at table. At an entertainment given by the Earl of Murray to the patriarch of Apuleia, A. D. 1544, the Earl, although he had a good ſtore of ſilver-plate, ordered his cup-board to be furniſhed with Venetian ‡ chryſtal glaſſes, and gave his ſervant inſtructions to overturn it, as if by accident, in the midſt of dinner. The noiſe of its fall alarmed the company, who expreſſed their regret for the loſs; but the Earl making no account of it, commanded his ſervant to fill the ſide-board anew with glaſſes ſtill finer; and the patriarch affirmed that no Venetian glaſſes could excel them.

If their feeding was leſs delicate, it was, however, more ſubſtantial than that of modern times. Three fleſh meals were made in a day. The tables of an Engliſh and Scottiſh nobleman were probably not diſſimilar; at leaſt, we are ſure, that the Scottiſh was not the moſt elegant. Lord and Lady Northumberland had for their own breakfaſt, A. D. 1512, in time of Lent, 'a loaf of bread ‖ in 'trenchers,

James I. that they were conſidered as intolerable luxury; and that the Archbiſhop of St. Andrews prevailed on the King to allow an act to be paſſed *in the parliament holden at Perth, A. D.* 1433, circumſcribing the uſe of them. That an old Engliſh chronologiſt ſhould liſten to a piece of groundleſs information, which he had ſome how received reſpecting Scotland, is by no means ſurpriſing. But we cannot help expreſſing our amazement, that Lord Kaims, one of the ſupreme judges in Scotland, and author of many treatiſes on law, ſhould have been pleaſed to adopt this ſtory upon the authority of Holinſhed, without giving himſelf the trouble to conſult the Scottiſh acts of parliament, *or his own abridgement of the ſtatutes*, which would have ſhown his Lordſhip that no ſuch act ever exiſted, and indeed that *no parliament was held at Perth, A. D.* 1433.; Holinſhed's deſcription of England, p. 166.; Kaims's ſketches, vol. 1. p. 336.

* Mary, parl. 5. c. 25, A. D. 1551. † Baptiſm of the prince of Scotland, p. 15. A. D 1594. ‡ Holinſhed's hiſtory of Scotland, p. 334. ‖ Northumberland houſehold-book, p. 73. 75. and 81.

'trenchers, two manchetts, (ſo their fine loaves were called), a quart 'of beer, a quart of wine, two pieces of ſalt-fiſh, ſix baconed her-'rings, four white herrings, or a diſh of ſprotts.' For ſupper, at which nine ſervants attended, who had nothing for their ſupper but the fragments, bread and drink excepted, 'five manchetts, a bottle 'of beer, a bottle of wine, forty ſprotts, two pieces of ſalt-fiſh, a 'quarter of ſalt ſalmon, two ſlices of turbot, a diſh of flounders, a 'turbot baken, or a diſh of fried ſmelts.' They had for breakfaſt, on fleſh days, 'a loaf of bread in trenchers, two manchetts, a quart of 'beer, a quart of wine, half a cheyne of mutton, or elſe a cheyne 'of beef boiled.' And on grand feſtivals, breakfaſt commonly * conſiſted of brawn, muſtard, and malmſey.

If it be allowable to preſume, that the table was conducted in Scotland as in its neighbouring country, dinner, which was ſerved at ten o'clock †, was announced by ‡ a flouriſh of trumpets, or the ſound of a horn. At grand feaſts, a waxen figure, repreſenting ſome palace or caſtle, was ſet in the middle of the table. At more moderate entertainments, *the* ſaltſeller occupied that ſpace, and beſide it a ſtock of bread and trenchers was placed. The table was alſo ſupplied with napkins, ſpoons, and knives; as for forks, they are an invention of a later date. It was embelliſhed with jellies, diſpoſed into artificial figures ‖ of trees, fruits, or flowers. And the entertainment was enlivened with muſic; for the minſtrels, who made ſo conſiderable a figure in England, were not unknown in this country; and, although they were ſometimes conſidered as § inſtigators of riotous mirth, yet they appear to have been held in conſiderable eſtimation. Beſides game of all ſorts, they numbered among their

* Dugdale's origines juridicales, p. 155. † To prevent the natural miſtake of modern readers, we muſt inform them, that it was not ten at night, but ten before noon.

‡ Northumb. houſ. book, p. 433, and 345.; Dugdale's orig. jurid. p. 200. 152. 154.

‖ Holinſhed's hiſt. of Eng. p. 167. § Balfour's practics, p. 679.; 683. James III. parl. 6. c. 46.; Accounts of the chamberlain of Scotland, A. D. 1329, 1330, 1331, publiſhed by Mr Davidſon, p. 17.

delicacies * ſwans and cranes; in England alſo, pheaſants and peacocks. At the ſame time, porpoiſes and ſea-gulls were oſtentatiouſly diſplayed at royal banquets.

In power and ſplendor, the Sovereign was ſo little exalted above the great Barons, that, till the reign of James VI. no guards attended the royal perſon. Far from affecting the ſolitary pomp of modern Princes, the Scottiſh Kings lived with their nobles in a ſtate of ſocial intercourſe †, more natural, agreeable, and inſtructive, than thoſe rules which modern Kings have formed to themſelves, of ſecluding, for ever, the poſſibility of their having a companion or a friend.

In the qualities of the different neceſſaries of life, a ſtudied gradation was contrived, proportional to the rank of the perſons for whom they were intended, which did little honour to the humanity of the times. They had four different kinds of wheaten ‡ bread, the fineſt called Manchet, the ſecond Cheat, or trencher bread, the third Ravelled, and the fourth, in England, Meſcelin, in Scotland Maſhloch. The ravelled was baked up, juſt as it came from the mill, flour, bran, and all; but in the Meſcelin or Maſhloch, the flour

* Mary parl. 5. c. 12.; King James IV. houſehold book; Northumb. houſ. book, p. 107. 104.

† The following letter, in the poſſeſſion of David Bethune of Balfour, Eſq; is a curious illuſtration of the fact.

Letter by James VI. to the Laird of Balfour: 'Right truſty friend, we greet y' well. Having appointed the baptiſm of our deareſt daughter to be here at Halyroo' houſe, upon Sunday the fifteenth day of Aprile next, in ſuch honourable manner' that action craved; we have therefor thought good right effectually to requeſt and de'ſire you to ſend us ſuch offerings and preſents againſt that day, *as is beſt then in ſeaſon*, 'and convenient for that action, as you regard our honour, and will merit our ſpecial 'thanks. So not doubting to find your greater willingneſs to pleaſure us herein, *ſince you* '*are to be invited to take part of your own good cheer*; we commit you to God. From Haly'roodhouſe this tenth day of February 1598.

JAMES R.

To our right truſty Friend the Laird
of Balfour Bethune elder.

‡ Northumberland houſhold book, p. 14. 75.; Holinſhed's deſcription of Eng. p. 168.

flour was almoſt entirely ſifted from it; a portion of rye was mixed with the bran, and this compoſition was given to poor people and ſervants. Agreeably to the ſame invidious oeconomy, there were allowed for waſhing Lord Northumberland's whole body linen for a* year, ſixteen ſhillings; for my Lady's, ten ſhillings; for Lord Percy's, five ſhillings; for the younger ſons of the family, two and ſixpence each; for the gentlemen, attendants on Lord Northumberland, two ſhillings each. As for thoſe of inferior rank in his Lordſhip's family, they appear to have had no body-linen at all.

Their lodging, both in reſpect to houſes and furniture, afforded the moſt wretched accommodation. Froiſſart introduces a Scotſman ſpeaking in theſe terms: 'For though the Engliſhmen burn † our houſes, we care little therefor. We ſhall make them again cheap enough. 'We are but three days to make them again, if we may get four 'or five ſtakes, and boughs to cover them.' It appears, that, in ‡ the reign of James I. the houſes within borough were not above twenty feet high. And, even in the ſixteenth century, churches were generally ‖ covered with thatch. The houſe of a baron, for the moſt part, conſiſted of a narrow ſquare tower, with ſome mean building adjacent. The walls, which were of an immenſe thickneſs, the figure of the building, and the choice of ſituation, all conſpire in pointing out the ſole idea which regulated the conſtruction of their houſes, to have been that of reſiſting aſſault. The meanneſs of their houſes did not ariſe from a want of knowledge in maſonry, but from abſolute ignorance of every art or refinement in domeſtic life. The ruins of the caſtle of William § the Lion are ſtill extant, and appear the remains of a conſiderable edifice. Upon the top of the fortreſs, the ſtatue of that Prince was erected, which Gothic neglect, in this preſent century, ſuffered to tumble down, and to be broken by the mouldering of the ruins. The abbey of Dunfermline,

* North. houſ. book, p. 350.; † Froiſſart, vol. 2. p. 3.; ‡ James I. parl. 4. c. 73.;
‖ Records of privy council, 13th September 1563.; § Redcaſtle, between Montroſe and Arbroath.

line, begun in the eleventh, thoſe of Melroſs * and Arbroath, and the Cathedral of St. Andrews, begun in the twelfth centuries, diſplay in their ruins the magnificence of their architecture. Beſides Edinburgh and Stirling caſtles, the Kings of Scotland had royal reſidences at Holyrood-houſe, Linlithgow, Falkland, Dunfermline, and Scoon.

As for houſehold furniture, they poſſeſſed few things, which, in the preſent times, could claim to be ranked in a ſervant's hall. Queen Mary brought with her from France †, arras hangings, carpets, and various kinds of houſehold furniture; and it is uncertain if theſe were known in Scotland at an earlier date; even then they were ſo rare and valuable, as to be uſed only upon high ‡ feſtivals, after which the hangings were taken from their tenter-hooks, and carefully depoſited, till returning Chriſtmas. The walls, for the moſt part, diſcovered the naked ſtones; they were ſometimes, however, lined with wood, and ‖ embelliſhed with poetical inſcriptions. As for their beds, they have been ſpoken of already. The only furniture in the hall of a great baron was large ſtanding tables, *forms*, and cupboards, without locks or keys. They eat moſtly out of wooden diſhes, which they called *tren plates* §; uſed wooden or horn ſpoons, and drank out of wooden cups. To ſee ſilver, except in monaſteries or cathedrals **, was a miracle; and even pewter-veſſels were eſteemed ſo rare and coſtly, as to be uſed only upon Chriſtmas and †† other high feſtivals. Wretched as theſe articles were, it would appear that Scotland could not produce them. It behoved theſe to be purchaſed in a foreign country. In A. D. 1430, eight dozen of pewter diſhes, a hundred dozen of wooden cups ‡‡, a baſon and ewer, three ſaddles,

* Keith's catalogue of Biſhops, p. 246. 250. 254.; † Holinſhed's hiſt. of Scot. p. 377.

‡ By the regulations for Lord Northumberland's houſehold, charcoal 'muſt be purveyed 'all at once, *for to ſerve in time of Chriſtmas next, which is becauſe the ſmoke of the ſea coal would 'hurt mine arras.*' Northumb. houſ. book p. 21. ‖ Ibid. p. 453. § Ibid. p. 157. 442; Holinſhed's deſcript. of England, p. 188. 189. ** Keith's catal. of biſhops, p. 74. 77. †† Northumberland houſhold book, p. 157. 158. ‡‡ Rymer's Foedera, vol. 10. p. 470.

ſaddles, a dozen ſkins of red leather, five dozen ells of woolen-cloth, and twenty caſks of wine, were imported from London for the uſe of the King of Scots. If their furniture was mean, it was equally ſcanty; for, when a great baron removed from * one of his houſes to another, he † found it neceſſary to carry along with him his beds, hangings, kitchen furniture, &c.

Their manner of living affords us the agreeable reflection of the benefits ariſing from induſtry, when applied to arts and ſciences, to commerce and agriculture. For now a private gentleman, of moderate fortune, is accommodated with much more commodious, elegant, and even rich furniture, and his table is ſupplied with more elegance, although leſs profuſion, than could have been enjoyed by a Lord of the ſixteenth century, whoſe ample fortune, numerous attendants, and affected pomp, reſembled more the dignity of an independent ſovereign, than the condition of an illuſtrious ſubject.

Under the name of taking of *caulpes*, gentlemen of family exercised a very mean ſpecies of oppreſſion. The chiefs of clans, from a fiction that thoſe of their name had got their beſt moveables for their chieftain's defence, or from his bounty, thought, that when their nameſake was dead, they might ‡ reſume thoſe moveables, as being no longer in hands fitted to uſe them in the chieftain's defence. On this preſumption, which, by the bye, was notoriouſly falſe, when any perſon died, his chief wreſted from his executors the beſt horſe, ox, &c. belonging to the deceaſed; and this with ſuch oppreſſive violence, that ploughs were frequently ſtopped, the cattle unyoked

* Father Hay, a deſcendant of the family of Roſlin, who wrote in the end of the laſt century, is pleaſed to furniſh the halls at Roſlin, in the reign of James I. with embroidered hangings; to ſerve that illuſtrious baron in gold and ſilver plate, and to attire his very numerous attendants in velvet or cloth of gold. After what has been ſaid of the manner of living among the Scottiſh Kings, and the Scottiſh and Engliſh nobility, at a much later period, and, after conſidering the enormous price of cloaths, we have not the ſmalleſt heſitation in rejecting this account, as a moſt extravagant romance; F. Hay's MS. v. 2. p. 33. Advocates Library.

† Northumberland houſhold-book, p. 15. ‡ James IV. parl. 2. c. 18.; James VI. parl. 22. c. 21.

unyoked and carried off by thoſe rapacious chieftains. As generally four or five families contended for the chieftainſhip of every clan, each of them aſſerted his *dignity* by robbing his imaginary vaſſals, to the laying waſte of farms, and ſtopping the culture of the ground. Repeated acts of the legiſlature were in vain enacted to ſuppreſs this mean, yet ſanctified robbery.

Of letters they were extremely deſtitute. As few among the nobility or gentry could write, the uſe of ſeals, which they appended to deeds, ſupplied the defect. The ſcantineſs and barbarity of their native tongue occaſioned not only the more ſolemn deeds, but the chamberlain's accompts, and even the houſehold books of the Kings, to be written in Latin. And, at the ſame time, that ſome of their hiſtorians attained to purity and elegance in that language, they could, with admirable facility, when at a loſs for a Latin phraſe, ſupply the defect, by beſtowing upon an Engliſh word a Latin termination. Their hiſtories, although otherwiſe poſſeſſing conſiderable merit, were every where interſperſed with the moſt extravagant fictions, which could be engendered by credulity and ſuperſtition. But they ſeem to have chiefly valued themſelves upon the compoſition of ſhort quibbling Latin verſes, each of which contained a double rhyme *, a monotony extremely diſguſting; yet in this their whole wit and merit conſiſted. The celebrated preceptor of James VI. was the firſt among them who poſſeſſed claſſical taſte, or poetic genius. He wiſely choſe, however, the Latin language for the communication of his ideas. And, till the laſt century, few of their authors ventured to expreſs themſelves in Engliſh. A few of their ballads remain, of an earlier period, poſſeſſing conſiderable merit; the qualities in which they excelled were the tender and pathetic.

Although univerſities were eſtabliſhed in Scotland in the beginning of the fifteenth century; yet, ſo little were the people diſpoſed to

* Out of thouſands, the following well known ſpecimen is laid before the reader.

'Ni fallat fatum Scoti quocunque locatum,
'Invenient lapidem regnare tenentur ibidem.'

to reap the advantages ariſing from ſeminaries of education, that, at the diſtance of near a hundred years, it was found neceſſary to enact, that every baron or freeholder of ſubſtance ſhould* put *his eldeſt ſon and heir to ſchool*, there to remain till he ſhould acquire thorough knowledge in Latin; and afterwards to the ſtudy of philoſophy and law, that he might be capable to officiate as a judge-ordinary, and to decide juſtly between man and man.

Printing, of all arts the moſt conducive to the advantage of literature, which had been invented in the middle, and introduced † into England in the end, of the fifteenth century, was firſt exerciſed in Scotland in the beginning of the enſuing; and in the year 1540, the acts of the Scottiſh ‡ parliament were ordained to be printed. An art which tended to ſpread facts, and diffuſe opinions ſo widely, ſoon became an object of jealouſy both to church and ſtate. Compoſitions ſerious and ironical, poetical and proſaic, having been directed againſt the old religion, a prohibition was iſſued againſt printing, without ‖ royal licence, all ballads §, rhimes, *tragedies*, or other

* James IV. parliament 5. c. 54. † Ames's typographical antiquities, p. 1. 2. 573. ‡ James V. parliament 7. c. 127. ‖ Mary, parliament 5. c. 27.

§ The following ſpecimen of the ballads which offended Queen Mary, is ſubmitted to the reader.

I.

With hunts up, with hunts up,
It is now perfect day;
Jeſus our King is gone a hunting,
Who likes to ſpeed, they may.

II.

An curſed fox, lay hid in rocks
This long and many a day,
Devouring ſheep, while he might creep;
None might him ſhape away.

III.

It did him good to lap the blood
Of young and tender lambs;
None could him miſs; for all was his,
The young ones, with their dams.

IV.

The hunter is Chriſt, that hunts in haſte;
The hounds are Peter and Paul:
The Pope is the fox: Rome is the rocks,
That rubs us on the gall.

V.

That cruel beaſt, he never ceas'd
By his uſurped power,
Under diſpence, to get our pence,
Our ſouls to devour.

VI.

Who could deviſe ſuch merchandiſe,
As he had there to ſell,
Unleſs it were proud Lucifer,
The great maſter of Hell?

other books whatever. The reformed religion being eſtabliſhed, the general aſſembly, whoſe cenſures ſucceeded in Scotland to the exploded thunder of Rome, took the preſs under their direction; prohibited all books concerning religion to be printed, till the printers had obtained †, not only licence from the civil magiſtrate, but alſo the approbation of the church. And accordingly, a printer having publiſhed a book, wherein the King was entitled 'Supreme head of the Church,' and a pſalm-book with a *baudy ſong* at the end of it; they ordained the printer to call in all the books he had ſold, and to diſpoſe of no more copies, till he had cancelled the title-page, and the *baudy ſong*. Although this art was encouraged in its infancy, by an excluſive privilege, being by royal patent beſtowed on printers, of vending or reprinting, for a limited period, thoſe ‡ books which they had publiſhed; yet the occupation ſeems to have been by no means profitable: For even the King's printer, who, at that time, was alſo printer to the church, was in ſuch diſtreſſed circumſtances, as to be obliged repeatedly to implore ‖ aſſiſtance from the church; which, at laſt, on account of his poverty, the great expence he was put to in purchaſing types, and his zeal for religion, appointed him a ſalary of fifty pounds § a year.

Scotland traded chiefly with the Netherlands. The articles of her export were wool, wool-fells, hides, coal, and ſalted ſalmon. Of coal, indeed, there was little exported; for ſuch was their ignorance in the manner of working coal, and particularly in conſtructing engine

VII.

He had to ſell the Tantonie bell;
And pardons therein was.
Remiſſion * of ſins in old ſheep-ſkins,
Our ſouls to bring from grace.

VIII

With bulls of lead, white wax, and red,
And other whiles with green,
Cloſed in a box, this uſed the fox;
Such paultry was never ſeen.

† Book of the univerſal kirk, MS. p. 19. July 27. 1563. p. 90. July 7. 1568. ‡ Ames, p. 575 ‖ Ames, p. 581. book of the univ. Kirk, p. 112. 8. March 1569 § See B. 3 c 4.

* Godly and ſpiritual ſongs; firſt printed by Andrew Hart; reprinted by Ruddiman and Richardſon, A D. 1765.

gines* for drawing of water, that a perpetual jealouſy of the loſs of coal was entertained, the exportation of it diſcouraged †, and at laſt totally prohibited. The articles which ſhe imported were innumerable. Among them may ‡ be reckoned iron, lead, haberdaſhers ware, horſes furniture, military inſtruments, nay even wooden-diſhes, and cart-wheels. As for bows, ſpears, and other military weapons, the importation of them was injoined by law. In the reign of James V. ‖ cannon were firſt made in § Scotland, and the maker was liberally rewarded by that Prince.

From the ſituation of Scotland, a knowledge in the ruder arts of navigation behoved to be coeval with its being firſt inhabited. The veſſels of the Caledonians were a ſpecies of large open boats, of which the ſkeleton was of** light wooden timbers, ribbed with a texture of ſmaller pieees of wood, and covered with hides. Theſe were furniſhed with maſts and ſails; the ſails were expanded hides, which they never furled, and their tackle was compoſed of leathern thongs. Theſe, however, were laid aſide for a cordage, compoſed of twiſted ruſhes; and hence the remnants of a cable are ſtill denominated by our ſailors a piece of old junk ††. It is probable, that theſe rude veſſels gradually fell into deſuetude after the Roman invaſion, and that our anceſtors faſhioned their ſhips after thoſe of the invaders. Still, however, they were occaſionally uſed even in the ninth ‡‡ century; and they were frequently of ſo ſmall a ſize, that two ox-hides and a half were ſufficient for covering a veſſel.

* The predeceſſor of the firſt Earl of Balcarras having invented an engine for drawing of water, obtained from James VI. the ſole privilege of erecting that ſpecies of engine for twenty-one years. In this patent, the decay of coal, through the abounding of water in the coal-mines, is ſtrongly ſet forth; Patent by James VI in archieves of the family of Balcarras. † Mary, parl. 9. c. 84.; James VI. parl. 15. c. 253. ‡ Rymer's Faedera, v. 10. p. 470. 615.; Anderſon's origin of commerce, v. 1. p. 146. 235. 253. 258.; James I. parl. 3. c. 47; Froiſſart, v. 2. p. 4. ‖ Holinſhed's hiſtory of Scotland, p. 293. § The cannon which was in Edinburgh caſtle bore this inſcription:

'Machina ſum Scoto Borthuik fabricata Roberto.'

** Whitaker's hiſtory, v. 1. p. 380. †† From Juncus, a ruſh. ‡‡ Wareus de Antiquitatibus Hiberniae, ex Florentio Wigornienſi, p. 84

In the beginning of the twelfth century, navigation * was ſo conſiderable, that a duty on ſhipping formed a part of the royal revenue. Yet ſo inſufficient were their ſhips, ſo unſkilful their mariners, at a much later period, that it was impoſſible to ſail in the winter-ſeaſon without the utmoſt hazard of ſhipwreck. An old ballad repreſents the Scottiſh admiral and his crew † as overwhelmed with conſternation, upon receiving orders from the King to ſail in that tempeſtuous ſeaſon. Neither was their fear groundleſs; for the very next day the veſſel was caſt away in the Forth, and all on board periſhed. And it was found neceſſary to reſtrain the hardineſs of individuals, whom the love of gain tempted to truſt their bark to the fury of the waves, by prohibiting veſſels from being navigated ‡ from the end of October to the beginning of February. James IV. fitted out ſeveral large ſhips, which, from his romantic ideas of chivalry, he dedicated to the ſervice of the Queen of France. One of them, in particular, is ‖ ſaid to have been the largeſt that had hitherto ſailed the ſeas. It is ſomewhat remarkable, that there are but three celebrated captains mentioned in Scottiſh ſtory, Sir Patrick Spence, Sir Andrew Wood, and Andrew Barton, of whom the two firſt periſhed in ſtorms, the laſt in a naval engagement with the Engliſh.

The moſt ſtriking feature in the character of the æra we deſcribe, is that ſpirit of chivalry which ſprung up in the middle ages. It ſeems to have originated from ſuperſtition, and from notions of honour equally romantic in love and war. It claims our attention, by its important and immediate effects upon the ages in which it flouriſhed, as well as its remote conſequences to their poſterity, on whoſe ideas and manners it has ſtamped an impreſſion hardly to be eradicated. The more immediate and ſenſible effects which chivalry

* City cartulary of Edinburgh, v. 4. box 6. bundle 1. No 1. † Reliques of antient poetry, vol. 1. p. 79. ‡ James III. parl. 2. c. 15.; James IV. parl. 2. c. 14.; James V. parl. 2. c. 25. ‖ Drummond's hiſtory, p. 64. 69. 71.; Anderſon's origin of commerce, v. 1. p. 341.; Reliques of antient poetry, v. 1. p. 80.

valry produced, may be claſſed under judicial combats, duels, and tournaments. We are aware that this arrangement is liable to exception, and that it may be ſaid that judicial combats were approven in nations and ages where the ſpirit of chivalry was never diffuſed. But, if they ſhall not be reckoned a branch of chivalry, they at leaſt were ſtrongly abetted by its romantic ideas; we hope, therefore, to be pardoned for this mode of arrangement.

Our anceſtors, like moſt northern nations ſtrongly addicted to divination, imagined that the * Deity would miraculouſly interpoſe in behalf of innocence, upon the ſolemn appeals made to him upon accuſations, by trial by judicial combat, or by fire or water ordeal. Theſe modes of trial are eſtabliſhed by nearly † our earlieſt authentic records. The precincts of the royal palace formed the theatre of thoſe martial appeals; the Sovereign, with the chief juſticiary ‡, and lord high conſtable, the tribunal. Yet they were ſometimes held before judges, commonly eccleſiaſtics, to whom the King had deputed that branch of juriſdiction. The combatants, armed at all points, entered the liſts by ſun-riſe; and an immenſe multitude of ſpectators beheld, in deep ſilence, the conteſt for exculpation and victory. The combats were ſometimes protracted to a very late hour; for, if the accuſed could defend himſelf till the ſetting-ſun, he was deemed innocent, and his accuſer branded with infamy. Even in the reign of James V. an inſtance ‖ occurs of this ſpecies of trial being held before the King at Edinburgh.

In England, recourſe was had to judicial combat, in matters of § property; and it ſtill remains a ſpeculative part of the Engliſh juriſprudence. This mode of trial alſo prevailed in Scotland, in civil caſes; but, in the fourteenth ** century, it was reſtricted ſolely to crimes.

* Dugdale's orig. jurid. p. 65. † City cartulary of Edinburgh, v. 4. box 6. bundle 1. No 1. A. D. 1128. ‡ Quoniam Attachiamenta, c. 74; City cart. of Edin. ut ſupra. Dugdale's orig. jurid. p. 77. ‖ Drummond's hiſt. p. 105. § Blackſtone's commentary, v. 3. p. 338. ** Reg. Maj. lib. 3. c. 1, 13. chamberlain of Scotland's accompt. append. 2. No. 2. ſtatut. Robert. 3. c. 16.

crimes. Trials by fire and water ordeal, alſo formed * a part of the barbarous juriſprudence of antiquity, which, like many popular ſyſtems, had nothing to recommend them but abſurdity. Fire ordeal was undergone, by taking up in the hand a piece of red hot iron, of one, two, or three pound weight; and the *burned hand* demonſtrated the guilt of the criminal; or, by walking blindfold and barefooted over nine red hot plough-ſhares, laid at unequal diſtances. If the party eſcaped unhurt, he was deemed innocent; if otherwiſe, guilty. Water ordeal was performed by plunging the arm in boiling water; the deciſion as in the former; or, by throwing the accuſed into a pond or river. If he floated without any action of ſwimming, he was *deemed guilty; if he ſunk, innocent.* And hence the cuſtom of ducking thoſe ſuſpected of witchcraft, which continues among the rabble almoſt to this day.

The origin of private duels from judicial combats is palpable; as in public crimes, theſe were appealed to as deciſive between guilt and innocence; ſo in private inſults, an appeal, ſimilar in its warlike ſpirit, and uncertain event, was made for the reparation of injured honour. In the latter ſtages of the aera we deſcribe, duels, not only in Scotland, but all over Europe, flouriſhed in all their abſurdity. In this country they had become ſo frequent †, and upon ſuch trivial occaſions, that, although formerly tolerated, it was found neceſſary to impoſe on them this reſtriction, *that they ſhould not be fought without royal licence.* At this time the duelliſts fought with weapons in each hand; and there are inſtances of their ruſhing againſt each other with ſuch fury ‡, that, in the firſt aſſault, both weapons were plunged in the bodies of each of the antagoniſts. A French gentleman, aſking in marriage a young lady, the niece and heireſs, from her uncle, met with a rebuff in theſe terms: 'Friend,

'it

* City cart. of Edinburgh, *ut ſup.* Blackſtone's commentary v. 4. p. 336. 337.

† James VI. parliament 16. c. 12. ‡ Wilſon's life of K. James, p. 50.

[redacted] to marry *; I will tell you what you muſt do; [redacted] be a brave man, you muſt firſt kill, in ſingle combat, [redacted] three men, then afterwards marry and engender two or three children, *or the world will neither have got nor loſt by you.*' Although we may lament the diſmal conſequences which flowed from this romantic and ferocious ſpirit of duelling, when it flouriſhed in all its extravagance; yet we cannot help obſerving, that it has been productive of very important and beneficial conſequences; as it introduced a politeneſs and humanity of manners, a jealous watchfulneſs of honour, which had never hitherto prevailed in any ſtage of ſociety. A pure virtue, unaffected by paſſion, and incorruptible by intereſt, although it may be found in an individual in an age; yet it has never been ſo general, in any ſtage of ſociety, as to be productive of material and univerſal influence. We may, therefore, think ourſelves happy by the introduction of honour to its aid; a principle little leſs meritorious in itſelf, and, when ſtript of the romantic ideas which were once entertained concerning it, is productive of nearly as many good conſequences to ſociety.

The ſpirit of chivalry diſplayed itſelf in their amuſements, as well as in their ſerious tranſactions. In this country, tournaments † are of great antiquity; they were held in Edinburgh in the reign of William the Lion, and in thoſe of many of the ſucceeding Princes. The valley or low ground ‡, lying between the weſter-road to Leith and the rock at Lochend, was beſtowed by James II. on the community of Edinburgh, for the ſpecial purpoſe of holding tournaments, and other martial ſports. And thoſe feigned conflicts, emblems of real battle, ſometimes ended not without bloodſhed.

Tournaments were generally held by royal appointment, and proclamation of them made at court, ſometimes alſo at the courts of foreign princes. Thoſe who tilted, came forth equipped in compleat military array; their armorial ‖ bearings depicted on their ſhields, ſurcoats,

* Life of Lord Herbert of Cherbury, p. 64. † Niſbet's heraldry, p. 3. 7.

‡ Index to the city cartulary of Edinburgh, v. 1. p. 684. ‖ Drummond's hiſtory, p. 69. 74.; Niſbet's heraldry, p. 8.

ſurcoats, and the capariſons of their horſes. The Eſquires rode before their reſpective knights; each carrying in the right hand his knight's tilting ſpear, in the left, his helmet and creſt, adorned with ſilken ſtreamers, the favours beſtowed on them by their miſtreſſes; for each knight behoved to have a lady to whoſe ſervice he was totally devoted, whoſe patronage he invoked, and whoſe charms * inſpired him in the hour of battle, although he had never ſeen the damſel. The ſpot allotted for the tournament was incloſed with wooden rails, and the gates formed of high bars; and hence the cheveron and the ſaltire, the bend, the bar, and the pile, which occur ſo often in heraldry, are ſuppoſed to have taken their riſe. When the knights came up to thoſe barriers, they announced their approach by the ſound of a trumpet or blaſt of a horn; upon which the heralds came forth and recorded the names and armorial-bearings of the knights. Then their arms were hung on a tree, or perhaps upon the barriers, that thoſe competitors for glory might be known to the knights, the judges, and the ladies, whom the heralds obligingly aſſiſted in explaining the arms, and in deſcribing their owners. A knight traverſing the field, ſingled out, from among the different arms, thoſe of the perſon with whom he wiſhed to combat. And he ſignified by what weapon he meant to fight, by ringing with one of that ſort upon the ſhield of his antagoniſt. That each knight might know by whom he was challenged, his ſervants or pages attended his ſhield in ſuch fantaſtical diſguiſes of moors, ſavages, or monſters, as was agreeable to the fancy of their maſter; from which the cuſtom of wearing ſupporters at coats of arms originated. The knights aſſumed fictitious names; for inſtance, James IV. ſent forth his defiances under the name of *the ſavage knight*, another under that of *Le Sieur de la beauté*. Animated with,

* James IV. profeſſed himſelf the knight of Queen Ann of France. Urged by her, he fitted out large ſhips, and ſent them againſt his brother-in-law Henry VIII. which occaſioned the quarrel that terminated in the fatal battle of Flowden. James's Queen diſſuading him from that unfortunate expedition, aſked him if the letters of the Queen of France, *a woman whom he had never ſeen*, ought to have greater influence with him, than the tears of his wife, and the entreaties of his people? Drummond's hiſtory, p. 72. 74.

with the ſound of bag-pipes, they ruſhed to thoſe mock rencounters, which, however, were ſometimes attended with conſiderable bloodſhed.

After what has been ſaid in the former chapter concerning the riſe and progreſs of reformation, we now, when treating of the religion of our anceſtors, mean to confine ourſelves chiefly to its forms and ceremonies. Sentiments of religion, when unaccompanied with a ſpirit of enthuſiaſm, ſoon become languid, unleſs aided by thoſe external and adventitious circumſtances of ſhow, times, and forms, which enliven the languiſhing ſpirit of devotion; yet reverence for theſe is commonly termed ſuperſtition.

Thoſe ceremonies, except ſuch as are perfectly trivial, have a tendency to excite either cheerful or gloomy ideas, and as ſuch are advantageous or hurtful to mankind. For nothing tends more to ſour the temper, to depreſs our nature and render it abject, than that gloom which the votaries of our religion have ſo erroneouſly ſpread over the ſyſtem of purity and truth which has been revealed to modern ages.

It has been pretended, that the Chriſtian faith was publickly * embraced in Scotland in the beginning of the third century. Although its doctrines might poſſibly, by that time, have been preached in this country †; yet, in conſiſtence with truth, they cannot be ſaid to have been generally received, far leſs publicly eſtabliſhed, till a conſiderably later period. Before that, our anceſtors ſeem to have entertained no conceptions which can properly be called religious. They ſuppoſed, however, that the ſouls of the departed did exiſt in a ſtate of peaceful ‡ ſolitude and gloom; and that, *in their clouds*, they hovered round and contemplated their friends and poſterity on earth. They alſo formed to themſelves ideas of ſuperior beings, which yet were ſcarcely the objects of their terror, far leſs of their love. About the end of the third century, the moſt celebrated

* Spottiſwood's hiſt. p. 2. hiſt. of Roman Empire, p. 512.

† Macpherſon's diſſert. on Oſſian, p. 6. 7.; Gibbons's

‡ Oſſian's works.

lebrated of our anceſtors * is ſaid to have diſputed with a Chriſtian miſſionary. In the following century, Regulus, a canonized miſſionary, is ſuppoſed to have arrived in Scotland †, and to have had lands conferred on him in the neighbourhood of St Andrews; where the ruins of a church, of great antiquity, bearing his name, are ſtill to be ſeen.

In the reign of William the Lyon, the holy-day of Sabbath was ordained to commence on ‡ Saturday by twelve at noon, and thenceforth till Monday, all profane labour was prohibited. This time, however, was ſet apart for the purpoſes as well of recreation as of devotion. Butts were enjoined to be erected in the neighbourhood ‖ of churches, and archery to be practiſed on holy-days. Sunday was alſo the principal day for games and ſports, the moſt of which were ſo intimately § connected with religion, that a deſcription of them may not be improper: Nay, the theatre, which, in the canting phraſe of modern fanaticiſm, is ſtyled the temple of the Infernal Daemon, originated ſolely ** from the church. The ſubjects were ſcriptural, the clergy the compoſers, the church was the ſtage, and Sunday the time of exhibition. Plays, however, were afterwards compoſed upon profane ſubjects; were performed in the open air, and frequently †† exhibited ſcenes of the groſſeſt indelicacy.

In the dark ages, religious ſpectacles were exhibited, repreſenting in dumb ſhow, or, perhaps, with ſhort ſpeeches intermingled, the moſt intereſting ſcenes in the hiſtory of our Saviour; ſuch as the incarnation, paſſion, and reſurrection; or, perhaps, the lives and miracles of the ſaints. Theſe repreſentations, from the myſterious nature of their ſubjects, acquired ‡‡ the appellation of MYSTERIES; and

* Macpherſon's diſſert. on Oſſian. † Spottiſwood's hiſt. p. 5. ‡ Balfour's Practicks, p. 683. ‖ James I. parl. 1. c. 18. § Reliques of antient poetry, v. 1. p. 130. 141.; Northumberland houſehold, book p. 44.; Book of the univerſal kirk, p. 145. ** We ſpeak not of the antient drama. †† See appendix, No. 1. ‡‡ Reliques of antient poetry, v. 1. p. 128. et ſeq.; Don Quixote, part 2. c. 11.

and in them, allegorical perſonages, ſuch as *Sin*, *Death*, &c. were frequently introduced. By degrees, dramatic pieces were formed, conſiſting entirely of ſuch perſonifications, and theſe were entitled MORAL PLAYS, or MORALITIES. Theſe were ſometimes of a ſolemn, ſometimes of a humorous nature, approaching nearly to the diſtinction between tragedy and comedy. In the ſixteenth century, moralities were formally divided into acts and ſcenes, and introduced with a regular prologue: And they appeared under the claſſical names of Tragedy and Comedy. Some of them were called ſacred *comedies*, ſuch as, The NATIVITY OF OUR SAVIOUR *, The MASSACRE BY HEROD, &c. So early as the fourth century, a dramatic performance, entitled, CHRIST SUFFERING, A TRAGEDY, OR RATHER TRAGI-COMEDY, was written in Greek by Gregory of Nazianzen, † Biſhop of Conſtantinople. In the beginning of the twelfth century, a religious ſpectacle, entitled, A MIRACE PLAY OF ST CATHARINE, was compoſed by the ‡ Abbot of St Albans, and acted at Dunſtable, which was probably the firſt exhibition of the kind repreſented in this iſland. Theſe repreſentations ſoon became frequent in England, and it is probable they were ſoon afterwards introduced into this country. In the beginning of the ſixteenth century, they were ſo common and ſo popular in Scotland, that it became a proverbial expreſſion, when part of a company were expected, 'Where are ‖ the reſt of the players?' And the number of players was ſo conſiderable as to § be complained of as a nuiſance. In great houſes the chaplain was commonly the author of theſe holy plays, from which they got the appellation of ** Clerk's plays, and the menial ſervants, or retainers to the family, were the performers. They frequently ſtrolled †† from houſe to houſe, particularly at Chriſtmas, the principal ſeaſon of thoſe feſtive ſports, and

* Reliques of antient poetry, v. 1. 372. † Sancti Gregorii Nazianzeni opera, vol. 2. p. 253. ‡ Reliques of ant. poet. v. 1 p. 371. ‖ Knox's hiſt. p. 15. § Book of univerſal kirk, p. 488. ** Ibid, p. 145. †† Northumberland houſehold book, p. 340.; Reliques of anc. poet. v. 1. p. 139.

received conſiderable gratuities. Hence may be evidently deduced the cuſtom ſtill retained in this country, among young people of the lower claſs, of going, at that ſeaſon, from houſe to houſe, in fantaſtic * habits, endeavouring to amuſe, by repeating of bombaſt ſpeeches, and craving ſome trifling gratuity.

Theatrical repreſentations came not to be reſtricted to religious ſubjects; and, when theſe ſpectacles ceaſed to addreſs themſelves to the ſuperſtitious conceits of the rabble, they gratified them in all the indelicacies † which were agreeable to the vulgar appetites of ſo unpoliſhed a people. Even in the writings of the ſublime SHAKESPEARE, a low buffoonry runs through them, which could only have ariſen from the corrupt taſte of the age. But the generality of theſe performances, which have been conſigned to deſerved oblivion, and which uſed to be exhibited before the multitude in the open ‡ air, were full of the groſſeſt indecencies ‖.

In England, theatrical repreſentations continued to be § exhibited in churches, and on the Lord's day, till the end of the ſixteenth century. But, in Scotland, the church, ſoon after the reformation, prohibited plays to be made ** upon any ſubject in the canonical ſcriptures; prohibited plays of every ſort from being acted on Sunday; and ſome time afterwards ſhe attempted *altogether* to aboliſh theatrical repreſentations, and threatened with excommunication †† thoſe who ſhould attend them; but was obliged to reſcind her threatenings by command of the King.

Beſides thoſe theatrical repreſentations, the populace amuſed themſelves with other games, which, either in the ſource from which

* The cuſtom obſerved by the common people in Scotland, at this hour, of the bride giving to the bridegroom a wedding ſhirt, is alſo of great antiquity, and was formerly uſed among people of rank; Reliques of ant. poet. v. 1. p. 325. † Manuſcript play in poſſeſſion of David Garrick, Eſq; App. No. 1. ‡ The place where theſe performances were exhibited, was called the *Play Field*. Few towns of note were without them. That of Edinburgh was at the *Greenſide-well*: That of Coupar of Fife was on their Caſtlehill.

‖ See appendix, No 1. § Reliques of antient poetry, v 1. p. 141. ** Book of Univerſal Kirk, p. 145. 161. †† Spottiſwood's hiſtory, p. 456.

which they originated, or the end to which they were directed, ſeem not to have been unconnected with religion. Of theſe, the chief were the game of *Robin Hood*, and that of the *Abbot of Unreaſon*.

The celebration of games by the populace, in honour of their Deities and heroes, is of the greateſt antiquity; and formed the principal part of the Pagan religion. The *Floralia* * of Rome ſeem to have been continued with our forefathers, after the introduction of Chriſtianity, under the title of *May-games* †, *King or Queen of May*. As the memory of the original heroes of thoſe games had been long loſt, it was extremely natural to ſubſtitute a recent favourite ‡, in room of an obſelete heathen deity. Robin Hood, a bold and popular outlaw of the twelfth century, by his perſonal courage, his dextrous management of the bow, and by diſplaying a ſpecies of humanity and generoſity in ſupplying the neceſſities of the poor with the ſpoils he had robbed from the wealthy, became the darling of the populace. His atchievements have been celebrated in innumerable ſongs and ſtories. As for the game which has been inſtituted to his honour, it is not ſo eaſy to deſcribe what it was, as how ſtrongly it was the object of popular attachment.

The game of *Robin Hood* was celebrated in the month of May. The populace aſſembled previous to the celebration of this feſtival, and choſe ſome reſpectable ‖ member of the corporation to officiate in the character of *Robin Hood*, and another in that of *Little John*, his ſquire. Upon the day appointed, which was a Sunday or holyday, the people aſſembled in military array, and went to ſome adjoining field, where, either as actors or ſpectators, the whole inhabitants of the reſpective towns were convened. In this field they probably

* Ειχον αλλοθεν, p. 13.

† The cuſtom obſerved at this day in England, of dancing about May poles, and of carrying through the ſtreets of London pyramids of plate adorned with garlands, undoubtedly originated from the ſame Pagan inſtitution.

‡ Reliques of antient poetry, v. 1. p. 81.; Mary, parl. 6. c. 61. A. D. 1555.

‖ Council regiſter, v. 1. p. 30.

probably amuſed themſelves with a repreſentation of Robin Hood's predatory exploits, or of his encounters with the officers of juſtice. A learned prelate preaching before Edward VI. obſerves, that he once came to a town upon a holy-day, and gave information on the evening before of his deſign to preach. But next day, when he came to the church, he found the door locked. He tarried half an hour ere the key could be found; and, inſtead of a willing audience, ſome one told him *, 'This is a buſy day with us; we 'cannot hear you. It is Robin Hood's day. The pariſh are gone 'abroad to gather for Robin Hood. I pray you let (i. e. hinder) 'them not. I was fain, (ſays the Biſhop), to give place to Robin 'Hood. I thought my rochet ſhould have been regarded, though 'I were not; but it would not ſerve; it was fain to give place to 'Robin Hood's men.'

As numerous meetings for diſorderly mirth are apt to engender tumult, when the minds of the people came to be agitated with religious controverſy, it was found neceſſary to repreſs the game † of Robin Hood by public ſtatute. The populace were by no means willing to relinquiſh their favourite amuſement. Year after year the magiſtrates of Edinburgh were obliged to exert their authority ‡ in repreſſing this game; often ineffectually. In the year 1561, the mob were ſo enraged at being diſappointed in *making a Robin Hood*, that they roſe in mutiny, ſeized on the city-gates, committed robberies upon ſtrangers; and one of the ring-leaders being condemned by the magiſtrates to be hanged, the mob forced open the jail, ſet at liberty the criminal and all the priſoners, and broke in pieces the gibbet erected at the croſs for executing the malefactor. They next aſſaulted the magiſtrates, who were ‖ ſitting in the council-chamber, and who fled to the tolbooth for ſhelter, where the mob attacked them, battering the doors, and pouring ſtones thro' the windows. Application was made to the deacons of the corporations to appeaſe the tumult:

Remaining,

* Latimer's ſermons, p. 73. A. D. 1550.
† Mary, parliament 6. c. 61. A. D. 1555.
‡ Council regiſter, v. 4. p. 4. 30.
‖ Knox's hiſtory, p. 270.

Remaining, however, unconcerned ſpectators, they made this anſwer: '*They will be magiſtrates alone; let them rule the multitude alone.*' The magiſtrates were kept in confinement, till they made proclamation be publiſhed, offering indemnity to the rioters upon laying down their arms. Still, however, ſo late as the year 1592, we find the General Aſſembly complaining of the profanation of the Sabbath, by making* of *Robin Hood plays.*

The Abbot of Unreaſon, is the perſon who in England was known by the name of Abbot of Miſrule, and, after the reformation†, by that of Lord of Miſrule. He preſided over Chriſtmas gambols with dictatorial authority; and, by an addreſs or epilogue which he made, he cloſed thoſe ſcenes of feſtivity. The Abbot of Unreaſon was alſo a farcical character in interludes. Under the garb of a dignified clergyman, he entertained a licentious rabble with his abſurdities.

Among their more ſolemn religious ceremonies, may be reckoned the annual commemoration of the dead: As, according to the Romiſh ritual, the death of our Saviour, and of the ſaints and martyrs, was annually obſerved with religious ſolemnities; and, as the prayers of the faithful, in behalf of departed ſouls, were preſumed to avail at the throne of grace, it became extremely natural to inſtitute an act of worſhip, which, while it revived the tender, melancholy idea of a departed friend, was believed to operate in his favour, as an expiatory ſacrifice. This rite‡ was termed *a funeral maſs of requiem.* Upon the eve of the day of celebration, the neareſt relation to the deceaſed kept *Dergen*, a word expreſſive of the nature of the ceremony, which conſiſted chiefly in uttering mournful lamentations, and which probably had a ſimilar ſignification to the word *Dirge.* And, on the morrow, the maſs of requiem was performed. It was held ſo efficacious towards redeeming the ſoul from the penalties

* Book of univerſal kirk, p. 414. † Northumberland houſehold-book, p. 344. 441.; Dugdale's orig. jurid. p. 156.; Knox's hiſt. p. 115. ‡ Northumberland houſehold-book, p. 336. 437.

nalties of ſin, that, not only were great ſums bequeathed to the church for the celebration of thoſe maſſes, but lands were alſo beſtowed * by the Sovereign on civil corporations, for which no other reddendum was exacted, than the annual celebration of a funeral maſs for the King's ſoul, and for thoſe of the departed and ſucceeding monarchs.

A practice groſsly ſuperſtitious prevailed in the northern parts of Scotland, till the end of the ſixteenth century. It fell, indeed, nothing † ſhort of Daemon-worſhip, and was undoubtedly the remains of Paganiſm. Farmers left a part of their lands perpetually untilled and uncropt; this ſpot was dedicated to the Devil, and called *the Goodman's croft* ‡. This monſtrous ſuperſtition the church, in A. D. 1594, anxiouſly exerted herſelf to aboliſh. This was not the only inſtance in which the church teſtified the extremity of her abhorrence at ſuperſtition. The ſinging of carols at Yule, (i. e. Chriſtmas) was prohibited as idolatrous ‖. Funeral ſermons, and the erecting of grave-ſtones, were diſcharged as ſuperſtitious. Nay, the General Aſſembly ordered the church of Reſtalrig to be demoliſhed, as being *a monument of idolatry*.

The benefits derived from aboliſhing the authority, and eradicating the corruptions of the church of Rome, were not unallayed with temporary diſadvantages. Of theſe the chief may be reckoned, the depriving of an immenſe multitude of people of their means of ſubſiſtence. The Popiſh Clergy, whoſe liberal endowments had enabled them to diſplay their eminent hoſpitality, were now enrolled on the poors liſt, to receive the alms of thoſe § very churches, whoſe ſtipends they had formerly exacted. It became a matter of conſcience with tenants, not to pay rent for the lands which they farmed, to thoſe from ** whom they derived their poſſeſſion, if theſe lands had been bequeathed to them, for what they termed idolatrous purpoſes

* Inventary to city cartulary of Edinburgh, v. 1. p. 33. † Book of the univerſal kirk, p. 446. ‡ i. e. The landlord's acre. ‖ Book of univerſal kirk, p. 3. 389 487 § Book of univerſal kirk, p. 4. ** Council regiſter, v. 4. p. 93.

purpoſes. Hence, nunns, and other religious orders, were reduced to the utmoſt diſtreſs. Decayed gentlemen and travellers, ſuffered alſo in the diſtreſſes of the Popiſh Clergy. The former found in religious houſes an aſylum, which relieved their neceſſities, while it gratified their indolence. And the hoſpitality * of the church-men gave ſuch an hearty welcome to the nobility and commons, that, when travelling, they ſeldom lodged any where but in monaſteries. In this manner was the ſtore of victuals conſumed, which Knox mentions as being laid up for the clergy, when he obſerves, that upon the monaſtery of Grey-friars at Perth being demoliſhed and plundered, there was found in it great ſtore † of bed-cloaths, of bed and table-linen, equal in fineneſs to thoſe uſed by the firſt nobility. And that, notwithſtanding the advanced ſeaſon of the year ‡, and that there were but eight perſons belonging to the convent, there were found eight puncheons of ſalt beef, with wine, beer, ale, and other victuals in proportion.

Beſides the eſtabliſhed clergy, which were numerous, each incorporation, at leaſt in Edinburgh, was provided with a chaplain, who performed divine ſervice. The gratuity he received marked the ſimplicity of the times. Beſides a trifling ſalary, he boarded ‖ with the incorporation; that is to ſay, he dined with each of the members alternately. Theſe ſocieties, accordingly, by their regulations, bound their members to 'furniſh the chaplain his meat 'orderly, as he ſhould happen to come about to them.'

Although the nobles readily embraced the idea of the reformers, in ſpoiling the popiſh clergy of their revenues, they could not be induced, from theſe liberal appointments, to allow the reformed paſtors, whom they behoved to conſider as preachers of the goſpel of truth, what was ſufficient to afford them bare ſuſtenance. Accordingly, they are repreſented § as living like beggars, as being

* Leſlie de reb. geſt. Scotorum. p. 310. † Knox's hiſtory, p. 128. ‡ 11th May 1559. ‖ Seal of cauſe, Magiſtrates of Edinburgh to the incorporation of Bakers 1552.
§ Book of Univerſal Kirk, p. 24.

obliged to keep taverns and ale-houſes, in order to their ſupport, which, however, the church quickly prohibited. The number of churches in Scotland, which formerly amounted to nine hundred and twenty-four, beſides thoſe in Argyle and the Iſles, was now reduced to ſix hundred *; and even in theſe, when regular appointments were made to the clergy, they were very pityful, the moſt of them not equal to the ſalary of a private gentleman in the Horſe-guards. Hence, although Knox, and other leaders in the reformation, were eminent for undaunted ſpirit, auſtere morals, a rude ſpecies of eloquence, well adapted to the taſte and capacity of their hearers, a knowledge of the dead languages, and in polemical divinity; yet many of the clergy were very low and illiterate perſons, in ſo much that the church found it neceſſary to impoſe a reſtriction upon any being received into holy orders who were ignorant of the Latin tongue †, unleſs they were found qualified by the General Aſſembly to diſcharge the miniſterial office, by reaſon '*of their ſingular graces and gifts of God.*'

As the uſe of coal claims our attention, both by reaſon of its being the moſt valuable ſpecies of feuel hitherto diſcovered, and alſo an article of extenſive and advantageous commerce, we hope a ſhort digreſſion concerning its introduction will not be conſidered as impertinent. We enter upon it the more willingly, becauſe we are fully perſuaded, that the uſe of coal was firſt known in the period we have deſcribed, and that the date of its origin may be brought within a very narrow compaſs, although an author of profound learning and ingenuity has affected to diſcover its traces in a much more diſtant period.

Mr Whitaker preſumes, that the uſe of coal, before the ‡ Roman invaſion, was known to the primeval Britons. His arguments are chiefly, that, in the various diſtricts where coal is depoſited, the rivulets, in their winding courſes, muſt have waſhed from their banks

* Book of Univerſal Kirk, p. 230. † Ibid. p. 144. ‡ Whitaker's hiſtory, v. 1. p. 302.

banks innumerable pieces of the ſhining jetty mineral, the uſe of which the natives would ſoon have learned, by the aid of accident, or force of recollection. And that many pieces of coal, coal-cinders, and coal-culm, have, within theſe few years, been diſcovered under Roman camps and highways. If arguments, ſuch as theſe, carry any force, it muſt be derived from the reſpect due to the name which has condeſcended to make uſe of them, not from their own nature, the fallibility of which is palpable. Shall we argue upon the talent of barbarians for obſervation and diſcovery, when we find, that, even in poliſhed ages, almoſt every invention, and many improvements, are indebted for their origin, not to reflection, but accident. Shall we, merely from diſcovering ſome pieces of coal, of coal-cinders, or ſome coal-duſt, infer the uſe of that mineral before the Roman invaſion? It appears to us much more reaſonable to preſume, that an antiquary was miſtaken in the genuineneſs of a Roman encampment; or that, if genuine, the pieces of coal had got thither in ſome anaccountable manner, than to argue from thence the uſe of coal at ſo diſtant an aera, in oppoſition to the irreſiſtible load of negative evidence, which fixes its origin at a much later period.

Neceſſity is ſaid not unaptly to be the mother of invention. Had our remote anceſtors known, that a valuable inflammable ſubſtance was lodged under ground, the abundance of feuel which wood and turf afforded would naturally prevent them from digging into the bowels of the earth for that with which its ſurface ſo amply ſupplied them. Even when wood became very ſcarce, at the diſtance of ſeveral centuries after the diſcovery of coal, the manner * of working it was extremely rude, the progreſs and extent of the uſe of it ſlow and limited. The ſtatutes enacted by the Scottiſh parliament, and the patents granted by the Kings, diſplay their ignorance in working coal, ſet forth ſtrongly its decay, and guard anxiouſly its preſervation. In the beginning of the ſixteenth century, coal-ſmoke †

* Mary, parl. 9. c. 84.; James VI. parl. 15. c. 253. † Northumberland houſehold book, p. 21.

was deemed very pernicious; and, even in the end of it, the uſe of coal, in making * of iron, hardly was known in Scotland.

If the progreſs in working of coal was ſlow, its firſt diſcovery was not very remote. Coal certainly was not diſcovered in the middle of the twelfth, and it was as certainly known in the beginning of the thirteenth century. In the Leges Burgorum, which were enacted † about A. D. 1140, a particular privilege is granted to thoſe who bring feuel into boroughs. Wood, turf, and peats, are expreſsly mentioned; but, with reſpect to coal, there is a dead ſilence. But in the year 1234, Henry the III. of ‡ England renews a charter which his father had given to the inhabitants of Newcaſtle; and, in this renovated charter, he grants, upon their ſupplication, to the perſons in whoſe favour the charter was conceived, licence to dig coals, upon payment of L. 100 a-year, which is the earlieſt mention made of coal in the iſland. By the end of the thirteenth century, the uſe of coal was ſo much advanced, that it was frequently brought by ſea-carriage ‖ from one port to another. But the firſt mention that is made of coal, in any charter in Scotland, is in a grant executed A. D. 1291, in favour of the Abbot and convent of Dunfermline §, of the privilege of digging coal in the lands of Pittencrieff, in the county of Fife.

Theſe being the earlieſt intimations we have of coal, Mr Whitaker's hypotheſis cannot be embraced without overcoming two obſtacles, either of which we apprehend to be abſolutely unſurmountable: That a ſpecies of feuel ſo valuable ſhould be known, and that it ſhould afterwards, without any cauſe aſſigned, fall into abſolute deſuetude, and even all memory of it be extinguiſhed, and thus remain till accident ſhould revive it, at the diſtance of a thouſand years. And that the Romans, who conquered Britain, who ſo well underſtood, and ſo minutely deſcribed the ſtate of this iſland, ſhould never once

* Patent by James VI. A. D. 1594, in archieves of the Earl of Balcarras.

† Leg. burg. c. 38. ‡ Anderſon's orig. of commerce, v. 1. p. 111. ‖ Statut. gildae, c. 44. § Cartulary of Dunfermline, p. 80. advocate's library.

once mention the uſe of coal, which to them behoved to be entirely new, and therefore curious. Travellers who viſited this country at a much later period, when the uſe of coal was *really* diſcovered, did not paſs over ſo ſingular an article in ſuch unaccountable ſilence; and ſurely they will not be ſaid to have excelled the Romans in ingenuity and talent for obſervation. Æneas Sylvius, who afterwards aſſumed the purple under the name of Pius the ſecond, viſited this iſland about the middle of the fifteenth century. He relates, that he ſaw in Scotland *, 'The poor people, who, in raggs, begged 'at the churches, receive for alms pieces of ſtone, with which they 'went away contented. This ſpecies of ſtone, (ſays he,) whether 'with ſulphur, or whatever inflammable ſubſtance it may be im-'pregnated, they burn *in place of wood*, of which their country is 'deſtitute.' And Boetius, in his deſcription of Scotland, his native country, written in the beginning of the ſixteenth century, ſays, 'There are black ſtones alſo digged out of the ground, which are 'very good for firing, and ſuch is their intolerable heat, that they 'reſolve and melt iron, and, therefore, are very profitable for ſmiths 'and ſuch artificers as deal with other metals †; neither are they 'found any where elſe (that I know of) but between the Tay and 'Tyne, within the whole iſland.'

Upon the whole, as it is utterly unaccountable to ſuppoſe, that ſo valuable a diſcovery, once made, could be totally loſt, and even the memory of it forgot, till the diſcovery of it was revived by accident, at the diſtance of almoſt ten centuries; as the Latin authors have obſerved a profound ſilence reſpecting coal; and, as we find thoſe who wrote after its *undoubted* diſcovery, remarking and deſcribing it particularly, we have little heſitation in fixing the diſcovery of coal to have been made between the middle of the twelfth, and beginning of the thirteenth centuries.

In China, however, it is probable that coal was diſcovered long before it was known in the weſtern world. To aſcertain the time at

* Æneæ Sylvii opera. p. 443. † Boetii Scotorum regni deſcriptio, p. 10.

at which the Chineſe made this diſcovery, as much exceeds the ſphere of European literature, as it is difficult for an inhabitant of this quarter of the globe to comprehend, by his knowledge, or reconcile with his prejudices, the antiquity of that vaſt empire. About the middle of the thirteenth century, a noble Venetian, in his deſcription of China, obſerves, 'That through the whole province * 'of Cathay, certain *black ſtones* are dug out of the mountains, which 'being put in the fire, burn *like wood*, and when kindled, they con-'tinue burning a long time; in ſo much, that, if they are lighted 'in the evening, the fire will keep alive during the whole night. 'Many uſe *theſe ſtones*, although they have plenty of wood, the con-'ſumption of fcuel in ſtoves being very great.' It is curious to obſerve the ſimilarity with which Marcus Paulus, Æneas Sylvius, and Boetius, ſpeak of the ſame matter.

There is nothing which tends to elucidate more clearly the ſtate of a country, with reſpect to agriculture, manufactures, and commerce, than the prices of proviſions; yet we know no ſubject involved in greater obſcurity than an inquiry of this nature, when directed to a remote aera. The difficulties attending it ariſe partly from the want of materials, that is, the actual nominal rates of proviſions, partly from the ordinary reader not knowing the difference in the quantity of bullion itſelf contained in the nominal pound or ſhilling ſome hundred years ago, and our preſent nominal pound or ſhilling Sterling; but chiefly from the impoſſibility of determining, with preciſion, how far the ſame quantity or weight in gold or ſilver would go in the different ſtages of the aera we have deſcribed, when compared with the preſent times. For the price of commodities does not depend ſolely upon their intrinſic value, and the demand for them; but alſo, upon the quantity of money circulating, the ſtate of population, and induſtry: For, as much leſs money circulated then than at preſent, ſo it behoved to go proportionally further; and, as the inhabitants were fewer, with infinitely leſs

* Marcus Paulus Venetus, Purchaſ. pilgrims, v. 3. p. 88.

leſs induſtry than in our times; ſo the ſame ſum behoved, on theſe accounts, alſo, to have a proportionably greater influence.

The learned Ruddiman, who has inveſtigated Scottiſh antiquities with unparalleled knowledge and accuracy, does not venture to aſſert that money * was coined in Scotland previous † to the reign of Alexander I. or the beginning of the twelfth century. But, if money was not ſtruck in this country at an earlier period, our connection, firſt with the Romans, and afterwards with the Engliſh, behoved to have introduced the circulation of foreign coin. Accordingly, in the beginning of the eleventh century, we find the price of commodities mentioned ‡ in a denominiation applicable only to money compoſed of precious metal. Till the middle of the fourteenth century, the Engliſh ‖ and Scottiſh pounds were ſimilar in weight and purity; that is, they contained about three times the quantity of our preſent pound Sterling, and thirty-ſix times that of our pound § Scots.

Mr Hume, when treating of the value of money about the beginning of the aera we have deſcribed, ſuppoſes ** the ſame quantity of bullion to have gone above thirty-three times farther than at preſent. We have already obſerved, that the pound then contained an equal quantity of bullion with three modern Sterling, or thirty-ſix Scottiſh pounds. Therefore, according to Mr Hume, when we read of a pound, about ſeven hundred years ago, we ſhould deem it equal in influence to one hundred Sterling, or three thouſand ſix hundred Scottiſh pounds. But Mr Whitaker eſtimates the ſame quantity of bullion at that period to have been only of twenty †† times greater value than it is now; or, in other words, that the pound was equivalent to ſixty pounds Sterling, or two thouſand one hundred and ſixty pounds Scots. Accordingly, in the very curious table of proviſions with which he favours

* Pref. to Anderſon's Dip. Scot. p. 57. † Gold coin was not ſtruck in Scotland till about the end of the fourteenth century; Pref. to Anderſon's Dip. Scot p. 64. 80.

‡ Leges Malcolmi II c. 2. ‖ Pref. to Anderſon's Dip. Scot. p. 61 81.; Fleetwood's Chronicon pretioſum, p. 41. § See appendix, No. 2. ** Hume's hiſt. v. 1. p. 244. †† Whitaker's hiſt. v. 2. p. 345. 346.

favours the public, in converting the prices into modern money, he multiplies each article ſixty fold. But, in the following table, we prefer the manner * of Ruddiman, in his very limited table of the rates of proviſions in Scotland, by preſenting the reader, in one column, with the nominal ſums which the articles truly coſt, and, in an oppoſite column, the ſum to which a correſpondent quantity of bullion, in modern Scottiſh money, extends; leaving it to the judgment of the reader to eſtimate, with Mr Hume, that ſum, or quantity of bullion, in the earlieſt period of our table, as equivalent to thirty-three times, or, with Mr Whitaker, to twenty times the like quantity of bullion at preſent, and, in the ſubſequent † periods, to proportionably leſs, according to his ideas of the increaſe of money, population, and induſtry.

In comparing the proportional rate of proviſions between antient and modern times, a very conſiderable allowance muſt be made for the article of taxation; for the rates that are preſently paid for moſt articles of proviſion, are not the real prices at which they could be afforded, nor at which, between ſubject and ſubject, they are eſſentially ſold; but are alſo ſums levied for the aid of government, and tranſmitted from the conſumer to the merchant, from the merchant to the various collectors of the public revenue, and from them to the treaſury. During the period we have deſcribed, particularly in its more remote ſtages, the exigencies of government were ſmall, and the crown-lands afforded an ample revenue. But now the caſe is reverſed, the crown-lands are diſſipated, the nation groans under a conſuming load of debt, and the exigencies of government are very great. It has, therefore, become neceſſary to impoſe taxes upon almoſt every article of life, and theſe are inſenſibly paid by the conſumer, when he thinks he is only giving value for the proviſions: Therefore, in comparing the prices of a gallon of wine or ale, a pound of candles, or pair of ſhoes, in antient and in modern times, we

* Pref. to Anderſon's Dip. Scot. p. 82. † As to the number of nominal pounds in Scotland at different periods in a pound Troy of ſilver, ſee appendix, No 2.

we muſt reflect, that the prices paid formerly were ſimply the rates at which commodities could be furniſhed, almoſt without any duty to government; whereas now, in many inſtances, the taxes levied by government exceed the value of the articles upon which they are impoſed.

It only remains to explain the reaſons which induced us to convert the old into modern Scottiſh money. Beſides the incongruity that appeared in converting old Scottiſh into modern Sterling money, the prices of many articles are very minute; and, as the ſame ſum contains a ſcale twelve times larger in farthings, pence, &c. in Scots than in Sterling, it was found much eaſier to mark the fractions in the ſpecies of money which contains the largeſt ſcale. Nor will this be attended with much trouble to the Engliſh reader; ſince, when he obſerves the price of any article in Scottiſh money, he may reflect, that it is preciſely the twelfth part of that ſum in ſterling; or, that TWELVE pounds Scots are ONE pound Sterling.

A TABLE of the Prices of PROVISIONS in Scotland, in Ancient and Modern Scottiſh Money, from A. D. 1000, to A. D. 1600.

A. D.		Antient. L.	ſh.	d.	Modern. L.	ſh.	d.
1004.	A heifer *	0	2	6	4	10	0
1124.	A ſheep †	0	1	4	2	8	0
	Boll of ‡ wheat from 10 d. or 1 l. 10 s. to	0	2	0	3	12	0
	A heifer ‖	0	3	0	5	8	0
	A cow	0	6	0	10	16	0
	A gallon § of wine, Scottiſh meaſure	0	0	2	0	6	0
	of beer	0	0	0½	0	1	6
	A pair of ** ſhoes	0	0	4	0	12	0
1283.	A horſe ††	1	0	0	36	0	0
	Carcaſe of ‡‡ mutton from Eaſter till Whitſunday	0	1	4	2	8	0
	from Whitſunday to the 25th of July	0	1	0	1	16	0
	from 25th of July to Michaelmas	0	0	10	1	10	0
	from Michaelmas to Eaſter	0	0	8	1	4	0
1295.	A hen ‖‖	0	0	0½	0	1	6
	A gallon §§ of wine	0	0	4	0	12	0

A hundred

* Leges Malcolmi II. c. 3. † Reg. Maj. lib. 4. c. 16. ‡ Pref. to Anderſon's dip. Scot. p. 82. ‖ Reg. Maj. lib. 4. c. 31. § Pref. to Anderſon's dip. Scot. p. 82. ** Leges Burgorum, c. 121. †† Statuta gildae, c. 18. ‡‡ Ibid. c. 24. ‖‖ Dalrymple's annals, p. 310.

§§ As theſe accompts are written in barbarous Latin, there is ſome difficulty in tranſlating the meaſures, and alſo ſome other articles. Lord Hailes ſeems to think that the *lagena* ſignified a pint; but it certainly meaned a gallon. The *quarterium, quarta, or quart,* is frequently mentioned as a component part of the *lagena*. But an article in King James

A. D.		Antient. L.	sh.	d.	Modern. L.	sh.	d.
1328.	A hundred * herrings	0	1	6¾	2	13	6¾
	Fourty-four beeves purchased for the wedding of the King's son	20	0	10	687	2	10¾
1329.	A horse † from 5 s. or L. 8 : 11 : 5, to	0	13	4	22	17	1¾
	An ox	0	10	0	17	2	10¾
	A sheep from 14 d. or 2 l. to	0	2	0	3	8	6¾
	A hog	0	6	8	11	8	6¾
	A porpoise	0	5	0	8	11	5
	A swan	0	6	1	10	8	6¾
	A barrell of sturgeon	3	10	0	120	0	0
	A last of herrings from 3 l. 9 s. or L. 118 : 5 : 8½ to	4	0	0	137	2	10¾
	A thousand hard fish	6	13	4	228	11	5
	A hundred salmon	3	9	0	118	5	8¾
	A stone of cheese	0	1	0	1	14	3¾
	A stone of wax	0	4	6	7	14	3¾
	A gallon of honey	0	3	3	5	11	5
	of olive oil	0	3	10¾	6	12	10¾
	of vinegar	0	1	0	1	14	3¾
	of verjuice	0	1	7¾	2	15	8¾
	A barrel of mustard	0	1	3	2	2	10¾
	of apples	0	3	9	6	8	6¾

IV.'s household book, puts it beyond doubt, that the *lagena* signified a gallon. A quart of milk is therein mentioned at the price of 4 d. and 7 *lagenae*, 1 *quart* of milk at 9 s. 6 d. Now, reckoning each lagena to have contained four quarts, the sum paid should have been 9 s. 8 d. The odd two-pence was probably abated on account of the quantity purchased. Dalrymple's annals, p. 310. Accompts of the Chamberlain of Scotland, A. D. 1329. Household book of King James IV. A. D. 1511. Bishop Fleetwood also understands the lagena to have contained four quarts. Chronicon pretiosum, p. 81.

* Chamberlain of Scotland's accompts for A. D. 1328. in the archieves of his Grace the Duke of Buccleugh. † Accompts of the Chamberlain of Scotland, published by John Davidson, Esq; from the originals in exchequer, for A. D. 1329, 1330, 1331.

A.D.		Antient. L.	sh.	d.	Modern. L.	sh.	d.
1329.	A pound of saffron	0	5	0	8	11	5
	of pepper	0	1	2	2	0	0
	of mace, A. D. 1329	0	4	0	6	17	1½
	of ditto, A. D. 1331	0	6	0	10	5	8½
	of ginger, *A. D.* 1329	0	0	9½	1	7	1½
	of ditto. A. D. 1331	1	0	0	34	5	8½
	of nutmegs	0	4	10½	8	7	1½
	Thirteen loaves of sugar weighing 119 lib. at 1 s 9½d *per* pound	10	13	8	366	5	8½
	428 of various confections, at 2 s. 5 d. *per* pound	44	16	5	1536	14	3½
	A pound of rice	0	0	1½	0	3	6½
	A boll of meal	0	1	7	2	14	3½
	of barley	0	2	5	4	2	10½
	of oats	0	0	11	1	11	5
	of white peafe	0	2	4	4	0	0
	A cask (dolium) of wine	2	0	2½	68	18	6½
	Another cask of wine	3	6	8	114	5	8½
	A third cask	4	0	0	137	2	10½
	A chalder of coals, with the carriage to parliament	0	1	4	2	5	8½
	To the sheriff of Clackmannan for preparing firing	60	0	0	2057	2	10½
	A yard of woollen cloth dyed	0	6	2½	10	12	10½
	A yard of linen cloth	0	0	6½	0	19	3½
	A yard of tweel	0	0	3½	0	10	0
	of canvafs	0	0	1½	0	4	3½
	of filk	0	5	0	8	11	5
	An ambaffador's robe	0	13	4	22	17	1½
	A robe for the King's chaplain	1	0	0	34	5	8½
	Ditto for the clerk of the rolls	2	0	0	68	11	5

A saddle

A. D.		Antient. L.	sh.	d.	Modern. L.	sh.	d.
1329.	A saddle for the Lord Governour's palfrey	3	0	0	171	8	6¾
	Inrailing with iron the tomb of the late King	22	8	2	768	5	8½
	To building the wall between the town and castle of Berwick	20	0	0	685	14	3¼
	To four watchmen in Berwick castle at 3 d. or 8 s. 6 d.¾ each *per* day, for a year's wages	18	4	0	624	0	0
	A year's wages to the keeper of the lion	6	13	4	228	11	5
	Paid by the King to the *minstrels*, or bards, for attending at the coronation	20	0	0	685	14	3¼
	Paid to them by the Queen, on the same occasion	10	0	0	342	17	1½
1424.	A boll of * wheat	0	2	0	1	18	4¼
	of rye, barley, or pease	0	1	4	1	5	7
	of oats	0	0	6	0	9	7
	An ox	0	6	8	6	8	0
	A horse	0	13	4	12	16	0
1478.	Dower † given by the parliament on the marriage of the Princess Margaret, sister of King James III. with Anthony Earl of Fivie, Lord Scales, &c.	13333	6	8	66666	13	4
1489.	A wedder ‖	0	3	0	0	15	5

A salted

* Pref. to Anderson's Dip. Scot. p. 82. † Minutes of parliament, council, and *checker*, collected by E. Hadington, MS. Advocates Library, 6th March 1478. Of this sum the estates of parliament paid as follows: The clergy two fifths, the barons two fifths, and the boroughs one fifth. ‖ Pref. to Anderson's Dip. Scot. p. 82.

A. D.		Antient. L.	sh.	d.	Modern. L.	sh.	d.
1489.	A salted ox	0	15	0	3	17	1½
	A hog	0	8	4	2	2	10¼
1495.	Best wheat * *per* boll	0	6	8	1	14	3½
	Second ditto	0	6	0	1	10	10¾
1512.	The carcase † of a grass-fed ox	0	18	0	4	12	6½
	A boar from L. 1 : 6 : 8, or L. 6 : 17 : 1½ to	2	5	0	11	11	5
	A hog	0	8	0	2	1	1½
	A pig	0	0	11	0	4	8½
	A stall-fed ox, with its hide	3	10	0	18	0	0
	A carcase of mutton, from 4 sh. or L. 1 : 0 : 6½, to	0	6	0	1	10	10½
	A lamb at Christmas	0	10	0	2	11	5
	Ditto at Easter, from L. 0 : 1 : 2, or 6 sh. to	0	10	0	2	11	5
	A calf at Easter, from L. 0 : 2 : 0, or L. 0 : 10 : 3¼, to	0	8	0	2	1	1½
	A kid	0	1	2½	0	6	2½
	A fed rabbit	0	2	0	0	10	3¼
	A rabbit from the warren	0	1	6	0	7	8½
	A hare	0	4	6	1	3	1½
	A goose	0	1	0	0	5	1½
	A wild goose	0	2	4	0	12	0
	A Crane	0	12	0	3	1	8½
	A pair of muir-fowl, from 1 sh. or L. 0 : 5 : 1½ to	0	2	0	0	10	3½
	A pair of chickens at Christmas	0	1	0	0	5	1½
	at Easter	0	0	8	0	3	5

A fed

* Council register, v. 1. p. 36. A. D. 1495. † King James IV. household book, A. D. 1511. 1512.

A. D.		Antient. L.	sh.	d.	Modern. L.	sh.	d.
1512.	A fed capon	0	1	5	0	7	3¾
	Onions *per* pound at Eaſter	0	0	3	0	1	3¼
	A quart of milk	0	0	4	0	1	8½
	Cheeſe *per* ſtone	0	4	6	1	3	1½
	Butter *per* ditto in the month of July	0	6	0	1	10	10¼
	Sum total of his Majeſty's houſehold expence in the month of July, A.D. 1512	532	13	7	2739	9	10¾
1530.	A year's wages * for a cow-herd, *a ſhirt*, a pair of ſhoes, and	0	3	0	0	11	3
1532.	Salary of the † whole fifteen judges of the court of ſeſſion, out of which the preſident got double that of any other judge	1400	0	0	5250	0	0
1551.	Bourdeaux ‡ wine, if imported by the eaſt ſea, *per* pint	0	0	10	0	3	1½
	by the weſt ſea	0	0	8	0	2	6
	Rochelle wine, if imported by the eaſt ſea, *per* pint	0	0	8	0	2	6
	by the weſt ſea	0	0	6	0	1	10½
	A crane ‖	0	5	0	0	18	9
	A ſwan	0	5	0	0	18	9
	A hen	0	0	8	0	2	6
	A pig	0	1	6	0	5	7½
	Freight of a boat between Leith and Kinghorn	0	10	0	1	17	6
	For a man and horſe croſſing in a boat	0	1	0	0	3	9
	For each paſſenger	0	0	6	0	1	10½

Carcaſe

* Knox's hiſt. p. 14. † Pref. to Anderſon's dip. Scot. p 82. ‡ Mary parl. 5. c. 11. ‖ Mary parl. 5. c. 21.

A. D.		Antient. L.	sh.	d.	Modern. L.	sh.	d.
1552.	Carcase * of the best mutton	0	10	0	1	17	6
	Oats *per* boll	0	13	4	2	10	0
	Hay *per* stone	0	0	6	0	1	10½
	Best tallow † candles *per* pound	0	0	9	0	2	9¾
1553.	Butter *per* ‡ stone	0	8	0	1	10	0
	Cheese *per* ditto	0	4	0	0	15	0
	Eggs *per* dozen	0	0	4	0	1	3
1555.	The 4 d. ‖ loaf ordained to weigh 28 oz. when the price of wheat *per* boll is	1	6	8	5	0	0
	Ditto to weigh 24. oz. when wheat is at	1	10	0	5	12	6
	To weigh 22. oz. when at	1	13	4	6	5	0
	20. oz. at	1	16	8	6	17	6
	18. oz. at	2	0	0	7	10	0
	17. oz. at	2	3	4	8	2	6
	16. oz. at	2	6	8	8	15	0
	14. oz. ¼ at	2	10	0	9	7	6
	14. oz. when at	2	13	4	10	0	0
1560.	A soldier's pay § and maintenance *per* month	4	0	0	11	1	6⅔
1562.	A pair of ** double soaled shoes	0	3	8	0	10	1⅓
	of single soaled shoes	0	2	8	0	7	4⅔
	of boots	1	4	0	3	6	5⅓
	Ale *per* †† pint	0	0	6	0	0	9
1582.	Stipends of the reformed ‡‡ clergy over all Scotland. In 100 parishes there were allotted to each of the ministers	400	0	0	600	0	0

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* Council reg. v. 2. p. 7. † Ibid. p. 3. ‡ Ibid. p 15. ‖ Council reg. v. 1. p. 26. § Council reg. v. 3. p 33. ** Council reg. v. 4. p. 56.

†† Council reg. v. 6. p. 214. ‡‡ Book of the universal kirk, or acts of General Assembly, M. S. in possession of the church of Scotland.

A. D.		Antient. L.	sh.	d.	Modern. L.	sh.	d.
1582.	In 200 other parishes .	200	0	0	300	0	0
	In another 100 parishes .	100	0	0	150	0	0
	In the remaining parishes, in number 100 . . .	66	13	4	100	0	0
1584.	A year's salary for a * private gentleman in the horse-guards .	200	0	0	300	0	0
1588.	A year's salary for the † first minister of Edinburgh . .	400	0	0	600	0	0
	for the second	333	6	8	500	0	0
	for the third	200	0	0	300	0	0
	for the fourth	40	0	0	60	0	0
1590.	Two ells of Holland ‡ for the King, at L. 1 : 10 : 0, or L. 2 : 5 : 0 the ell	3	0	0	4	10	0
	Two pair of long Naples silk hose at L. 24 : 0 : 0, or 36 l. the pair	48	0	0	72	0	0
	A tawney beaver hat lined with taffety	12	0	0	18	0	0
	A string for the hat embroidered with gold and silver . .	12	0	0	18	0	0
	A black beaver hat lined with velvet	12	0	0	18	0	0
	Six quarters of crape of silk, to be the string to the hat . .	2	0	0	3	0	0
	An ostrich feather. (This and the six preceding articles for his Majesty's use) . .	100	0	0	150	0	0

* James VI. parl. 8. c. 137. † Council reg. v. 8. p. 189. ‡ Compt of his Majesty's apparel, furnished by Robert Joysse merchant Edinburgh, General register office for Scotland, A. D. 1590, 1591, 1592.

DINNER given at Edinburgh by King James IV. to the FRENCH AMBASSADOR on Chriſtmas Day, A. D. 1511 *.

Feſtum natalis Domini apud Edinburg Ambaxiatore preſente Franciae in prandio, 25th Decem.

		Antient.			Modern.		
		L.	ſh.	d.	L.	ſh.	d.
A. D. 1511.	Empt. per David Stewart, 6 carcag. mertarum herbalium liberat. Archidecano St. Andreae, pro totidem mertis mutuat. ab eodem apud Elgin, menſibus Junii et Julii, pretium picii 18 s. L. 5 : 8 : 0	5	8	0	27	15	5
	Item empt. per nuntium 36 porcelli pretium picii 11 d. ſum. 33 s.	1	13	0	8	9	8½
	Item 85 anſe pretium picii 12 d. ſum. pecunie 4 l. 5 s. . .	4	5	0	21	17	1½
	Item 13 cāpones paſti 19 s. 6 d. .	0	19	6	5	0	3½
	Item 88 capones pret. pic. 8 d. ob. ſum. L. 3 : 2 : 6 . . .	3	2	6	16	1	5
	Item 5 anſe campeſtres, 13 s. 6 d. .	0	13	6	3	9	5
	Item 13 pulli, 6 s. 6 d. .	0	6	6	1	13	5
	Item 8 cuniculi paſt. 16 s. .	0	16	0	4	2	3½
	Item 25 cuniculi, 37 s. 6 d. .	1	17	6	9	12	10½
	Item 24 alaudes, 2 s. . . .	0	2	0	0	10	3½
	Item 1 quail 4 d. . .	0	0	4	0	1	8½
	Item 9 pluviarii, 8 ſnipes, varii pretii, ſum. 5 s. 8 d. . . .	0	5	8	1	9	1½
	Item 9 pira ſalfronii, 6 s . .	0	6	0	1	10	10½
	Item 340 poma, 7 s. . .	0	7	0	1	16	0

Item

* Compt of the King's houſehold expence made by the Biſhop of Caithneſs, comptroller, A. D. 1511, and 1512, General reg. office for Scotland.

		Antient. L.	sh.	d.	Modern. L.	sh.	d.
1511.	*Item 7 lagene, 1 quarta lactis*, 9 s. 6 d.	0	9	6	2	8	10⅔
	Item 1 agnus . . .	0	10	0	2	11	5
	Item 145 pedes bovine pro gelaturis ad coquinam regis pret. 13 s. 9 d. .	0	13	9	3	10	8½
	Item 400 pedes ovium, 10 s. .	0	10	0	2	11	5
	Item 9 galli domeſtici, 6 s. 9 d. .	0	6	9	1	14	8½
	Item 182 pedes bovium pro gelaturis ad coquinam regine, 16 s. 10 d. .	0	16	10	4	6	6½
	Item 400 pedes ovium, 10 s. . .	0	10	0	2	11	5
	Item 9 galli domeſtici, 6 s. 9. .	0	6	9	1	14	8½
	Item 181 pedes bovine pro gelaturis coquine familie regis pret. ut ſupra						
	Item 700 pedes ovium, 17 s. 6 d. .	0	17	6	4	10	0
	Item 18 galli, 13 s. 6 d. . .	0	13	6	3	9	5
	Item empt. de Donaldſon—mutton boukis—						
	Item 3 pece cepis——						
	Item de Johanne Paterſon de Dunmuir 1 aper, 45 s. . . .	2	5	0	11	11	5
	John Paterſon item 14 anſe campeſtres pret. picii 2 s. 4. ſum. 32 s. 6. .	1	12	6	8	7	1½
	Item 12 capones paſti 14 s. .	0	14	0	3	12	0
	Item *per* David Stewart 1 aper 28 s .	1	8	0	7	4	0
	De offers *per* Ballentine 1 aper pret. cum carriagio 40 s . . .	2	0	0	10	5	8½
	Item 6 hammys per Button 7 s. .	0	7	0	1	16	0
	Sum. L. 42 : 17 : 11 . .	42	17	11	220	12	1½

His MAJESTY'S DINNER on Eaſter day A. D 1512.

		Antient. L.	ſh.	d.	Modern. L.	ſh.	d.
	PASCHA.						
1512.	Die Dominico * undecimo Aprilis 1512 empt. in Glaſgua 60 porci varii pretii ſum. pecunie L. 23 . .	23	0	0	118	5	8½
	Item 1 aper pret. 36 s. . .	1	16	0	9	5	1½
	Item 4 mutton boukis pret. 24 s. .	1	4	0	6	3	5
	Item 12 agni 30 s. . . .	1	10	0	7	14	3½
	Item de carriagio hujuſmodi de Edinburg verſus Linlithgow 2 s. .	0	2	0	0	10	3½
	Item 4 boves paſti cum coriis L. 14	14	0	0	72	0	0
	Item 2 apri pret. 53 s. 4 d. .	2	13	4	13	14	3½
	Item 6 carcag. mertarum herbalium pret. L. 6 : 0 : 8 . . .	6	0	8	31	0	6½
	Item 2 vituli magni 16 s . .	0	16	0	4	2	3½
	Item 16 mutton boukis pret. pic. 4s. 8d. ſum. L. 3 : 14 : 8 . . .	3	14	8	19	4	0
	Item 12 agni 20 s . . .	1	0	0	5	2	10½
	Item 5 edi 6 s. 8 d. . . .	0	6	8	1	14	3½
	Item 1 vitulus parvus 2 s. .	0	2	0	0	10	3½
	Item 3 mutton boukis pret. pic. 4. ſum. 12 s.	0	12	0	3	1	8½
	Item 7 agni pret. 11 s. 8. d. . .	0	11	8	3	0	0
	Item 1 aper pret. 33 s. . .	1	13	0	8	9	8½
	Item 5 lingue bovine 3 s. .	0	3	0	0	15	5
	Item 12 lib. cepi.—Three following articles are illegible.						

Item

* King James IV.'s houſehold book, ſupra citat.

		Antient.			Modern.		
		L.	sh.	d.	L.	sh.	d.
1512.	Item 1 grus 12 s	0	12	0	3	1	8½
	Item 2 agni 18 s.	0	18	0	4	12	6½
	Item 84 aves morales 42 s.	2	2	0	10	16	0
	Item 12 galli nigri 10 s.	0	10	0	2	11	5
	Item 6 porci 48 s	2	8	0	12	6	10½
	Item 2 porci 18 s.	0	18	0	4	12	6½
	Item 12 mutton boukis, varii pretii, sum. L. 3 : 12 : 0	3	12	0	18	10	3½
	Item 14 vituli 42 s. 8 d.	2	2	8	10	19	5
	Item 6 lib. cepi 1 s. 6 d.	0	1	6	0	7	8½
	Item 16 pedes bovine 2 s.	0	2	0	0	10	3½
	Item 40 pedes ovium 15 d.	0	1	3	0	6	5
	Item 26 porcelli pret. cum carriagio 26 s.	1	6	0	6	13	8½
	Item 26 capones pasti 37 s. 6 d.	1	17	6	9	12	10½
	Item 3 agni 30 s.	1	10	0	7	14	3½
	Item 51 pulli gallinarum 16 s. 6 d.	0	16	6	4	4	10½
	Item 9 leprones 4 s. 6 d.	0	4	6	1	3	1½
	Item 1100 ova 19 s. 4 d.	0	19	4	4	19	5
	Item 12 galli nigri 10 s.	0	10	0	2	11	5
	Item 48 aves morales 48 s.	2	8	0	12	6	10½
	Item 73 edi L. 5 : 3 : 5	5	3	5	26	11	10½
	Item 10 petre 8 lib. casei 47 s. 6 d.	2	7	6	12	4	3½
	Item 8 galli pro gelaturis 6 s.	0	6	0	1	10	10½
	Item 92 pedes bovine 15 s 1 d.	0	15	1	3	17	6½
	Item 48 pedes ovium 1 s. 8 d	0	1	8	0	8	6¾
	Item 40 pedes vitulorum 3 s.	0	3	0	0	15	5
	Item 16 grosse farine 21 s. 4 d.	1	1	4	5	9	8½
	Item 3 *quart lactis* 12 d.	0	1	0	0	5	1½
	Item in ordeo 20 s.	1	0	0	5	2	10¼
	Item 300 poma 6 s.	0	6	0	1	10	10½
	Sum. L. 102 : 8 : 6	102	8	6	526	15	1½

CHAPTER

CHAPTER III.

EDINBURGH viſited by King James VI. *and afterwards by Charles* I. *—Source of the Troubles in the Reign of Charles* I.*—Tumult in Edinburgh upon reading the Liturgy—Second Tumult—Royal Proclamation encountered with a Public Proteſtation of Diſobedience—The Covenant—Marquis of Hamilton comes to Edinburgh as King's Commiſſioner to the Covenanters, whom he in vain endeavours to appeaſe —Leaves Edinburgh, and returns with new Conceſſions, which are rejected—A Propheteſs—Meeting of the General Aſſembly at Glaſgow, who aboliſh Epiſcopacy—Eſtates of Parliament meet at Edinburgh; their Preparations for War—Seize Edinburgh Caſtle, and Dalkeith Houſe; Fortify Leith.—Their Expedients for raiſing Money —Marquis of Hamilton arrives in the Forth with a Fleet and Army—King Charles comes to Edinburgh; his timid and ungenerous Policy—Scots Army enter England on behalf of the Parliament—Baſe Conduct of the Scots—Charles* II. *proclaimed King—Marquis of Montroſe—Engliſh Army, under Cromwell, enter Scotland—Charles* II. *arrives—The Clergy treat him with ſtudied Indignities—Battle of Dunbar—City and Caſtle of Edinburgh taken by Cromwell, who Incorporates England, Scotland, and Ireland, into one Commonwealth.*

FROM James's acceſſion to the throne of England, Edinburgh remained for a period of thirty-five years in a ſtate of tranquillity, unchequered by any memorable event, if we may not except two viſits which ſhe received from her native monarchs. At
618. James's entry, ten thouſand Scottiſh merks were preſented in a ſilver baſon,

baſon *, to render propitious the heart of the King. At Charles's, 1618.
the Lord Provoſt, magiſtrates, and town-council, in their robes, attended by two hundred and ſixty armed † youths ‡, dreſſed in doublets of white ſattin, and black velvet breeches, received the King. And, through ſtreets hung with carpets and tapeſtry, lined with the trained bands, and decorated with pompous, expenſive, and abſurd pageantry, they conducted him to the palace. In both their entries, the Sovereigns were received with addreſſes full of pedantry and ſervile adulation.

This ſtate of tranquillity gave place to very different ſcenes; for it was the fortune of Edinburgh to give birth to thoſe tumults which were productive of infinite miſery to all ranks, and which ended in the deſtruction of the King, and overthrow of the conſtitution.

The troubles which ſprung up in this iſland upon the introduction of a new ſet of religious doctrines, were ſpeedily appeaſed in England by the rough hand of Henry, whoſe ſingular felicity it was to alter the church, without overturning the ſtate. In Scotland, it was far otherwiſe; for there, along with the doctrines of reformation, republican principles were almoſt univerſally adopted: And a perpetual ſtruggle between epiſcopacy and preſbytery was maintained almoſt till the union. James VI. is reported to have ſaid, that 'monarchy and preſbytery agreed as well as God and the Devil.' The unremitted efforts which both he and his ſucceſſor exerted in favour of epiſcopacy, ſeem to have proceeded from a perſuaſion of its conformity in worſhip and in government to the doctrines of the apoſtles and the fathers, as well as from a conviction that the crown and the mitre were naturally mutual ſupports to each other. The furious zeal of the preſbyterian clergy had given James many advantages over them; and, as he poſſeſſed a ſagacity which overweening pride, or party-ſpirit, in modern times, will not allow him; he failed not to make uſe of them to the accompliſhment of his favourite object.

The

* Council reg. v. 12. p. 258. † Ibid. v. 14. p. 100. ‡ King Charles's entry coſt the city L. 41489: 7: 0 Scots; about L. 3500 Sterling; Council reg. v. 14. p. 329.

The biſhops and abbots, along with a part of* their eccleſiaſtical revenues, were allowed to retain their ſeats in the great council of the nation. In the noon-tide of royal power, he had even eſtabliſhed his ſupremacy over the church. He had appointed a habit for churchmen. Nay, after much intriguing, and anxious attention to the critical moment of advantage, he introduced thoſe important points, 'kneeling at the ſacrament, adminiſtration of private com-'munion, and of private baptiſm, confirmation, and the obſerving 'of Chriſtmas and Eaſter holydays.' What remained towards the compleat eſtabliſhment of epiſcopacy, but an introduction of the liturgy? This James had often meditated; but it was left to his leſs prudent ſucceſſor to attempt. It was no time for Charles, already involved in diſputes about prerogative in one part of his dominions, to aim at innovation, in the religious worſhip, of another. But, although the people were undoubtedly averſe from epiſcopacy; although this averſion was fomented by the harangues of their preachers; yet the religious tenets of the people, and the offence which they ſuſtained, were not the *cauſe*, but the *engine* of thoſe troubles which diſtracted the nation during this period of our hiſtory, which, indeed, may be termed 'the empire of fanaticiſm and hypocriſy, of 'tyranny and rebellion.'

Our conceptions of the Deity are ſo imperfect, our notions of the mode of appeaſing divine wrath ſo prepoſterous, that actions in themſelves totally indifferent have been ſuppoſed the moſt efficacious mode of obtaining the divine grace, or the moſt infallible grounds of attracting Almighty reſentment: Nay, by ſtepping ſomewhat further in the ſame line, the groſſeſt violations of moral duty have been ſuppoſed the moſt acceptable ſacrifices at the divine altar. Hence the corruptions of religion have excited the moſt violent diſorders that have convulſed civil ſociety; and, conſequently, men of deep deſign, and profligate principles, veiled under apparent ſanctity, are capable

* Baker's chronicle, p. 452.; James VI. parl. 8. c. 129. parl. 20. c. 8. parl. 23. c. 21.

capable to inflame, and to direct to the moſt deſperate purpoſes, the religious paſſions of the multitude.

It has been already obſerved, that the deſire of the nobles to ſeize upon the ample revenues of the church, conſiderably aſſiſted the progreſs and eſtabliſhment of the reformation. During the minority of James, thoſe powerful barons who placed the crown upon his infant brow, appropriated to themſelves thoſe lands which had belonged to the church. But, upon James's maturity, and being firmly eſtabliſhed in his government, the church-lands, then poſſeſſed by the impropriators, or *lords of erection*, as they were called, were annexed to the crown upon the moſt ſolid principles * of law and juſtice: For as, by the abolition of popery, the church-lands became vacant, they naturally acceded to the King, according to the maxim, '*Quod nullius eſt, cedit domino Regi.*' And this was the more equitable, as the patrimonies of the church had originally been dilapidations from the royal revenue. At the ſame time, an † act was paſſed, revoking all grants made in prejudice of the crown, during James's minority. Still, however, this act was not put in execution, and the nobles made ſhift to retain their ill acquired poſſeſſions.

The impropriators uſed theſe poſſeſſions, in ſuch a manner as to load the country with manifold oppreſſion. The ſervile dependence in which vaſſals were ſubjected by their lords, was rendered ſtill more abject, by theſe ſuperiors having arrogated to themſelves the poſſeſſion of the eccleſiaſtical revenues. For, in collecting the tithes, they did not gather them when it was ſuitable for the occupiers of the ground; but would perverſely forbear to ſeparate the tithe from the ‡ ſtock, obſerving no other rule than their own caprice, often to the entire deſtruction of the crop after it was reaped; and thereby ſubjecting their vaſſals to the moſt implicit and dangerous ſubmiſſion. Out of theſe tithes alſo, the impropriators would not pay to the clergy a ſufficient, nor even any *fixed* ſtipend; but allow-

* James VI. parl. 11. c. 29. † James VI. parl. 11. c. 31. ‡ King's declaration, p. 7. Baker's chronicle, p. 452.

ed them only a miſerable pittance, and that dependent on their pleaſure. Thus were thoſe zealous champions for the purity of religion reducing the ſacerdotal order to poverty and contempt, and ſubjecting all ranks to a ſervile dependence on themſelves, thereby concentrating the power of the nation in a turbulent and tyrannical ariſtocracy.

Charles attempted to remedy evils of ſo dangerous a tendency; but he met an oppoſition which unhappily coinciding with his diſputes in England with the Houſe of Commons, involved both him and the nation in ruin. He paſſed an act, revoking all alienations of the lands or * other patrimonies of the crown, made by himſelf and his predeceſſors. This ſtatute, however, remained but *the dead letter of the law*. Charles had not ſtrength to put it in execution; and it ſerved only to awaken ſuſpicions, and excite umbrage in thoſe againſt whom it was directed, without being of the ſmalleſt real ſervice to the crown. He, at the ſame time, appointed a *commiſſion of ſurrenders*, as it was termed. This was a † commiſſion paſſed under the great ſeal, appointing a number of noblemen and gentlemen, both of thoſe who paid tithes, and thoſe to whom they were due, commiſſioners for ſurrendering the ſuperiorities to the King, to be retaken from him, upon the payment of a certain ſum, as redemption-money; as alſo for relieving the owners of the ground, by impowering them to buy the tithes, at ſo many years purchaſe as ſhould be agreed on by buyers and ſellers; and to ſettle a decent and fixed proviſion upon the clergy. Charles received ſincere applauſe for having accompliſhed purpoſes ſo beneficial to the landholders, the clergy, and even the crown itſelf, and ſo conducive to the intereſts of peace and freedom. The landholders acknowledged him as their deliverer from intolerable bondage. The clergy celebrated him as the very father and founder of their churches. The haughty nobles alone murmured in ſecret at their diminiſhed influence; and repining at the power and favour which the eccleſiaſtics enjoyed,

* Charles I. parl. 1. c. 9. † King's declar. p. 7. et ſeq.

enjoyed, who, indeed, held the firſt places under the crown, they reſolved to ſeize the firſt occaſion of embroiling the meaſures of the court.

An opportunity was not long wanting. The canons for appointing the eccleſiaſtical juriſdiction had already been eſtabliſhed. They 1635.
contained the abſurdity of recommending and inforcing the uſe of the liturgy, while the liturgy itſelf was not yet compoſed. But after it was compoſed, and had been reviſed, altered, corrected, &c. by the pious Charles and by Laud, it was judged a moſt excellent form of worſhip. Indeed, thoſe zealous members of the church of England *, ſhowed ſo laudable a deſire of conformity with her elder ſiſter of Rome, that the alterations in this liturgy from the Engliſh ſervice-book; approached more nearly to Popiſh tenets. Eaſter-day 1637.
was appointed, by ſolemn proclamation, for the introduction of the liturgy; but, for the better judging of the people's diſpoſitions towards it, it was delayed till the 23d of July; and, on the Sunday preceding, the intended uſe of it was announced from the pulpit, in all the churches of Edinburgh. Still few indications of popular diſguſt appeared; nor was it much to be expected. The people were by no means ſtrangers to the Engliſh ſervice-book. It had been read for twenty years in the royal chapel of Holyroodhouſe, which was then the pariſh-church of the Canongate, and was frequented by people of all ranks. It had alſo, of late, been uſed in ſome of the cathedral churches, and in the divinity college of St Andrews, without diſturbance, or even the appearance of diſguſt. And, when the King was laſt in Scotland, it was publicly read in all the churches to which he reſorted. Nay, on the Sunday of its intimation, the ſervice-book was highly extolled from the pulpit, by ſome of thoſe clergymen who were afterwards the foremoſt in embracing the covenant, and in railing againſt the liturgy moſt bitterly.

On Sunday the 23d of July, agreeably to the previous intimation, the ſervice-book was begun to be read at Edinburgh, in St Giles's July 23.

* Baker's chronicle, p. 458.; King's dec. p. 22. et ſeq.; Hume's hiſt. v. 6. p. 260. 262.

1637. church. Both the Archbiſhops, a number of the Privy Counſellors, the Lords of Seſſion, the Magiſtrates of Edinburgh, beſides a great concourſe of people of inferior rank, were aſſembled. Among this multitude, not a murmur was heard, till the Dean of Edinburgh, arrayed in his ſurplice, opened the ſervice-book. Inſtantly a tumult aroſe, 'Out (cries an old woman), *out, thou falſe thief, doſt thou ſay 'the maſs at my lugg* *?' But the clapping of hands, the hiſſes, the curſes and exclamations which immediately followed, rendered every ſentence, or attempt at ſpeech, unintelligible. The Biſhop of Edinburgh, with a view to appeaſe the tumult, aſcended the pulpit; but, had not a friendly hand averted the ſtool which was thrown at his head, that member of the Epiſcopal order would have been ſilenced for ever. The Archbiſhop of St Andrews, Lord Chancellor, attempted in vain to quell the uproar. At laſt the Magiſtrates, deſcending from their ſeats, partly by flattery, by menaces, and by force, got the unruly part of the audience thruſt out of the church. After which the Dean proceeded in the ſervice; but ſtill their devotion was diſturbed by the rude multitude without, who, by raiſing loud clamours, rapping at the church-doors, and throwing ſtones through the windows, attempted to interrupt the ſervice; and, when the congregation was diſmiſſed, the Biſhop was beſet by the rabble, and had well nigh fallen a ſacrifice to popular fury. In the church adjoining, the liturgy was received with leſs uproar; but not without obvious marks of diſapprobation. In the Grayfriars, it behoved the ſervice to be given up; but the miniſter of the College church forbore to begin the worſhip, till he learned the reception of the liturgy in the neighbouring churches, when he wiſely preferred the old extempore form, notwithſtanding his engagement to the contrary.

Between ſermons, a meeting of the Privy Council was held, at which the Lord Provoſt and Magiſtrates aſſiſted; and, as they engaged to exert their utmoſt endeavours to maintain decorum, the uſe

* i. e. Ear.

uſe of the liturgy was again attempted in the afternoon, and it was 1637.
read in ſome of the churches without much diſturbance. Still, however, an unruly multitude rambled through the ſtreets; and public worſhip being over, the Biſhop of Edinburgh going home with the Lord Privy Seal in his coach, they were attacked by the rabble, pelted with ſtones *, and, although the coach was driven at full gallop, his Lordſhip's footmen gladly betook to their drawn ſwords to repell the fury of their aſſaults.

Next morning a meeting of the Privy Council was held, at which the Magiſtrates of Edinburgh attending, expreſſed their deteſtation of the late uproar, and their deſire to ſeize the ringleaders †, and bring them to puniſhment. To encourage the miniſters to read the liturgy, they voluntarily enacted themſelves to indemnify the clergy, if, in the execution of their duty, they ſhould ſuffer harm from the outrage of the populace. They alſo wrote two ſubmiſſive letters to Archbiſhop Laud, expreſſing their contrition for the tumult, and their alacrity to concur in any meaſures for eſtabliſhing the ſervice-book.

As no new day was immediately re-appointed for the reading of the liturgy, and, as the concluſion of the term, and the approaching harveſt, made it ‡ requiſite for the generality of people to ſuperintend their country-affairs, no diſturbance happened for ſome time, and the late tumult was thought to have entirely ſubſided. But two of the miniſters of Edinburgh, who had been ſuſpended for not reading the ſervice-book on the 23d of July, began to practiſe upon the people. Loud murmurs againſt the liturgy were echoed through the city; and, when they reflected that the late violent oppoſition to it had ariſen from the very dregs of the populace, the ſtory of Balaam's aſs occurring to their imagination, made them admire the finger of the Lord, as opening the mouths of the ſimple to teſtify againſt

* This memorable day was afterwards diſtinguiſhed in Edinburgh by the appellation of *Stoney Sunday*; Peck's deſiderata curioſa, lib. 2. p. 50. † King's dec. p. 26. et ſeq.
‡ King's dec. p. 31.

1637. againſt ſuch groſs ſuperſtition. A petition from the magiſtrates and inhabitants, as well as from the ſuſpended miniſters *, was preſented to the Privy Council, praying that the uſe of the liturgy might not be inſiſted on; and the harveſt being moſtly over, a great concourſe of all ranks flocked to Edinburgh, and manifeſted ſuch a ſpirit of ſedition, that there was reaſon to apprehend an immediate inſurrection.

Oct. 17. As the privy council had been ſummoned in order to treat of eccleſiaſtic affairs, to appeaſe the people, a royal proclamation was iſſued, diſcharging the privy council, at that time, from proceeding on the affairs of the church; and the multitude were required to diſperſe themſelves, and to repair peaceably to their dwellings. But to this part of the proclamation no obedience was paid. Next day, as the

Oct. 18. Biſhop of Galloway was paſſing along the ſtreets, he was beſet by the populace, who firſt hooting at him with wild clamours and execrations, afterwards oppoſed him in his paſſage to the chamber where the privy council was ſitting. Thither he at laſt, with much difficulty, arrived; but, inſtead of meeting † there with a ſecure aſylum, he found himſelf and the other privy counſellors beſieged by a furious rabble. The Lords of the privy council ſent to the magiſtrates, requeſting their aſſiſtance. But the magiſtrates ſtood in need of aſſiſtance as much as themſelves; for the diſorderly rout which beſieged the privy counſellors, and patroled the ſtreets, had alſo ſurrounded the town council-chamber where the magiſtrates were ſitting; nay, even thronged into it, and vowed their immediate deſtruction, if they would not inſtantly ſubſcribe a petition againſt the ſervice-book, and replace the ſuſpended miniſters. The Earl of Traquair Lord Treaſurer, thinking the condition of the magiſtrates more deſperate than his own, went to their aſſiſtance from the privy council, where he was then ſitting. But the rabble aſſailed him with ſuch wild outcries, as predicted more forcible outrage.

* King's dec. p. 32. Baker's chronicle, p. 459. † King's declar. p. 35. et ſeq.; Ruſhworth's coll. vol. 2. p. 403.

rage. On all quarters there were reſounded, '*God defend thoſe who* 1637.
'*will defend God's cauſe; and God confound the ſervice-book, and all*
'*its maintainers.*' Inſtantly the mob aſſaulted the Treaſurer, pulled off his hat and cloak, broke in pieces the white rod which he bore as the badge of his office, threw him down on the ſtreet, and, had he not inſtantly been raiſed by his attendants, who conveyed him back to the privy council, would undoubtedly have trodden him to death. As for the magiſtrates, they, as well as the Lords of the privy council, remained beſieged in their ſeparate chambers, till, by the interpoſition of ſome popular Lords, they were reſcued from the fury of the populace.

The tumult being ſomewhat appeaſed, in the afternoon a proclamation was iſſued, diſcharging all public convocations, and alſo private meetings, tending to ſedition. But it met with ſo little reſpect, that public deputies from the people on the next morning preſented two petitions, one in the name of the *men, women, children, and ſervants*, inhabitants of Edinburgh, againſt the ſervice-book; another in that of the nobility, gentry, miniſters, and burgeſſes, againſt both the ſervice-book and the book of canons. After this, the privy council diſcontinued to meet at Edinburgh. The term, which had already been removed to Linlithgow, was ordered thence to Stirling, that it might be ſtill farther from the ſeditious capital: And, to repreſs tumultuous proceedings, Charles again had recourſe to the feeble authority of a proclamation. But his orders, which hitherto were treated with heedleſs contempt, now met with direct diſobedience. He experienced, for the firſt time, an act of deliberate rebellion, and that by perſons of high rank: For, when he 1638.
publiſhed a proclamation at Stirling, pardoning paſt offences, and Feb. 19.
enjoining peaceable behaviour, it was encountered by the Earl of Hume, Lord Lindeſay, and great numbers of an inferior rank, by a public proteſtation, in which, after ſetting forth their pretended grievances, they proteſted, that they ſhould not be liable to any penalties or forfeitures for diſobeying any orders or proclamations in favour

1638. favour of the book of canons, or liturgy; and that they ſhould not be anſwerable for any conſequences which might happen upon inforcing theſe innovations. Wherever the King's proclamation was publiſhed, it was met by a counter-proteſt; and a regular combination was formed to oppoſe the eſtabliſhed government. The great multitude of people who aſſembled at Edinburgh, diſpoſed themſelves into different claſſes, conform to their ranks. Theſe were called *tables;* and from each of theſe reſpective tables certain commiſſioners were elected, who compoſed a general table which reviſed the deliberations of the inferior ones, and iſſued orders that every where met with implicit obedience.

Upon the murder of the Earl of Darnley, an aſſociation had been formed for revenging his death, and for defending the infant Prince. The murmurs which aroſe among the proteſtants at the favour which the Duke of Lennox, a papiſt, enjoyed with James VI. occaſioned an aſſociation to be formed, A. D. 1580, for renouncing the errors * of popery †. Theſe, and perhaps alſo a recollection of the furious effects produced in France by the HOLY LEAGUE, for extirpating the proteſtant religion, ſuggeſted to the *tables* the idea of framing A COVENANT.

This covenant conſiſted of a renunciation of popery, expreſſed in all that virulence of invective which was calculated to inflame the minds of people who did not underſtand the nature of what they were renouncing, yet could comprehend the infamy of the epithets applied to the object renounced. To this there followed a bond, obliging the ſubſcribers to reſiſt all religious innovations, and to defend each other againſt every oppoſition whatever; and all this for the glory of God, and the advantage of their King and country; the whole concluding ‡ with invoking the moſt tremendous imprecations

* Council reg. v. 4. p. 193.; Spottiſwood's hiſt. p. 309.; Sully's mem. lib. 1.; King's dec. p. 40. † This was called the *negative confeſſion of faith*, in oppoſition to the poſitive one, aſcertaining the proteſtant doctrines eſtabliſhed A. D. 1567; James VI. parl. 1. c. 4.; Baker's chron. p. 460. ‡ King's dec. from p. 57. to p. 66.; Maitland's hiſt. p. 80.; Baker's chron. p. 461.; Guthrie's memoirs, p. 30.

cations upon ſuch as ſhould deſert the covenant. The people being 1638.
aſſembled for the purpoſe, in the Grayfriars church-yard, the covenant was ſolemnly read aloud to them. All ranks and conditions, all ages and ſexes, flocked to * ſubſcribe it, with that ardour, as if they believed the inſertion of their names in this parchment-ſcroll did virtually inroll them in the book of life. The deſire towards the covenant did not ſo much originate like a diſeaſe ſpringing from the unſoundneſs of the individual, as from the influence of powerful contagion. Few, in their habits, were diſpoſed to reſiſt it. Fewer ſtill durſt avow their diſinclination towards it; and, if any were ſo hardy, they were compelled, by menaces, and by various injuries, to embrace it, or otherwiſe were turned out of their paſtoral cures, or other offices which they enjoyed.

Charles, not a little alarmed at a combination ſo general and ſo violent, appointed the Marquis of Hamilton his high commiſſioner, with ample powers to treat with the covenanters. No ſooner did the leaders of the covenant hear of Charles's peaceable intentions, than they exerted their ingenuity to prevent an accommodation. The pulpits rung with the inſidiouſneſs of Charles's deſigns. It was recommended to the people to avoid treaties, as ſnares for their deſtruction. All the terrors were hung out to them, of incurring the guilt of perjury, if they ſhould abate one jot of their covenanted engagements, or if they ſhould adopt meaſures without the approbation of the whole. And, leſt the pulpit ſhould not convey theſe exhortations faſt enough, inflammatory reſolutions, to the ſame tendency, were, with infinite deſpatch, circulated all over the kingdom. As if in times of the moſt imminent danger, new committees were

 appointed,

* The original copy of the covenant is written on a ſkin of parchment four feet long, and three feet eight inches deep. It is ſo crouded with names on both ſides, that there is not the ſmalleſt ſpace left. Some were ſo zealous as to add to their ſubſcriptions, '*till* '*death.*' And when there was no longer room for ſubſcribing at length, the eager votaries of the covenant filled the margin of the deed with their initials. Copies of it were ſent from Edinburgh, and ſubſcribed over all the kingdom.

1638. appointed, the proviſion of arms was increaſed, and all communication between the caſtle and the city cut off by a ſtrong guard.

Upon the Marquis of Hamilton's approach, *the tables* diſcharged all the members of the covenant from waiting upon him. By this time, there were upwards of ſixty thouſand people tumultuouſly aſſembled at Edinburgh; and the commiſſioner*, thinking it neither ſafe nor honourable to come there, took up his reſidence at Dalkeith. His Grace was intreated, by deputies from the city of Edinburgh, to lodge at Holyroodhouſe. This he agreed to, on the deputies becoming bound for the peaceable behaviour of the citizens, and for taking off the blockade from the caſtle. He ſet out accordingly from Dalkeith, accompanied by the Lords of the privy council, and ſuch of the nobility and gentry as were well affected to his cauſe. Ere he was † half way, he was met by the whole body of nobility and gentry covenanters, who had aſſembled at Edinburgh, on horſeback, and behind them, by the miniſters and commonality, on foot, making an oſtentatious diſplay of their power and numbers. As he rode along, one of the miniſters offered to entertain his Grace with *a ſpeech*; but, being well acquainted with the nature of their harangues, he declined the compliment.

The commiſſioner then opened to the covenanters his main propoſitions, which were, 'I*mo*, To be informed what they expected 'from the King, in ſatisfaction for their complaints; 2*do*, That, on 'their part, they ſhould return to their ‡ obedience, and renounce 'the covenant.' To theſe they replied, 'That all they demanded 'from the King, was his indicting a general aſſembly and parliament: That, as to what was deſired of them, it was abſurd to re'quire people to return to their obedience who had never departed 'from it; and, as for renouncing the covenant, they would ſooner 'renounce

* King's dec. p. 82. et ſeq.; Hume's hiſt. v. 6. p. 267. † The diſtance from Dalkeith to Edinburgh is ſix Engliſh miles. But the commiſſioner did not come by what is now the direct road, but by Inverekſk; and the multitude were drawn up on Muſſelburgh ſands. ‡ King's dec. p. 87.; Baker's chron. p. 461.

'renounce their baptiſm than abate one ſyllable of it.' Nay, they 1638.
invited the commiſſioner himſelf to ſubſcribe it, informing him,
'with what peace and comfort it had filled the hearts of all God's
'people; what reſolutions and beginnings of reformation of man-
'ners were ſenſibly perceived in all parts of the nation, above * any
'meaſure they had ever before found, or could have expected;
'how great glory the Lord had received thereby; and what con-
'fidence they had, that God would make Scotland a bleſſed king-
'dom.'

In the mean time, zeal againſt the liturgy roſe to an unexampled fury. Even at the reformation, the mob, with difficulty, were prevailed upon to allow Mary the exerciſe of her worſhip. But now, although the Engliſh ſervice had been read in the chapel of Holyroodhouſe for twenty years, the people underſtanding, that, on the next Sunday, as uſual, it was to be read before the commiſſioner, they ſent him notice, that, if it ſhould be uſed there any more, the clergyman who officiated ſhould infallibly be put to death.

It was vain to treat with, and not very ſafe to reſide among people in ſuch a frame of mind. The commiſſioner returned to London; made another fruitleſs journey to Edinburgh with new conceſſions; went back a ſecond time to London, and returned with conceſſions the moſt ample and ſatisfactory which could be given to their repeated and riſing demands, and which were rejected in ſuch a manner as evidently to ſhow, that thoſe ſeditious covenanters neither wiſhed to be ſatisfied, nor would admit of ſatisfaction; and that they aimed at nothing elſe than engroſſing the whole power of the nation, by the deſtruction of royal authority.

Charles, perceiving the dangerous tendency of ſuch a band of union as the covenant, without ſanction of public authority, nay, expreſsly contrary to law, wiſhed to ſubſtitute in its place a band of union, which, while it conſiſted of the ſame violent renunciation of popery with the other, at the ſame time expreſſed more duty and

* King's dec. p. 88.

1638. loyalty to the King. He, accordingly, drew up a covenant, pretty much the ſame with that ſubſcribed by the late King in the year 1580, and afterwards by all ranks of people. This he required to be ſubſcribed; but, as the covenanters perceived it was meant to weaken and divide them, they reſolved that no obedience ſhould be paid to it. He, at the ſame time, by his royal proclamation, diſcharged the uſe of the ſervice-book, book of canons, and high commiſſion; and reſcinded all deeds whatever that had been made for eſtabliſhing them. He alſo diſcharged the urging the five articles of Perth *; and, at the ſame time, indicted a general aſſembly and parliament. Thus did Charles yield to all their demands; and, by ſummoning a general aſſembly and parliament, in both which, as the covenanters were ſure to predominate, he, in effect, left them to ſettle every thing at their pleaſure; but to no purpoſe whatever; for, when his Majeſty's proclamation, publiſhing thoſe gracious indulgences, was read, it alſo was encountered with a horrible proteſt, full of the moſt captious quibbling at the proclamation, and Jeſuitical attempts to miſconſtrue its meaning, and blaſt its effect; the whole couched in dictates of the moſt hypocritical ſanctity.

The indiction, however, of a general aſſembly and parliament, could not fail to be agreeable to the covenanters, although they churliſhly forbore to acknowledge their ſatisfaction. They ſet about modelling the election of members for the enſuing aſſembly, in ſuch a manner, that none but the moſt rigid of their party ſhould be choſen. They perceived in the clergy a ſpirit of moderation, by no means † likely to ſecond their furious deſigns. On his Majeſty's late proclamation, diſcharging the ſervice-book, &c. the miniſters of Glaſgow, in a body, wrote a ſolemn letter of thanks to the commiſſioner, 'for the proclamation, which was re-
Sept 24. 'ceived with acclamations univerſally joyful: That they praiſed 'God for inſpiring their dread Sovereign with ſuch wiſdom, piety, 'clemency,

* He had not power to aboliſh the articles themſelves, as they were eſtabliſhed both by general aſſembly and by parliament. † King's dec. p. 184. 186. 188.

'clemency, and fatherly care of the church and common wealth, 1638.
'as is abundantly manifeſted in the ſaid proclamation; ſo they
'would gladly teſtify, by every means in their power, their thank-
'fullneſs to his Majeſty, "*their crown of rejoicing, and the breath*
"*of their noſtrils.*" And the intereſted, or hot brained leaders of the covenant, plainly ſaw that all their miſrepreſentations would not avail, without the influence of an undue election. Before the eſtabliſhment of prelacy, the laick and eccleſiaſtical members in the general aſſembly were nearly equal. James, apprehenſive of zeal in the laity, had deprived them of their ſeats; theſe *the tables*, who aſſumed to themſelves a ſupreme power, reſtored. They alſo iſſued an edict, ordaining, that, from every pariſh, a lay-elder *, as well as the miniſter, ſhould attend the preſbytery, and give his voice in the election, both of the commiſſioners and miniſters, who ſhould be deputed to the aſſembly. Thus the number of miniſters and elders, compoſing a preſbytery, being equal, as it was not cuſtomary for the miniſters, named as candidates, to claim a vote, the election, by that means, fell entirely into the hands of the laity. *The tables* fell upon another device, which rendered the election a mere farce, and ſhowed how little an aſſembly, choſen by the unreſtrained ſuffrages of the electors, would have anſwered their purpoſes. They themſelves nominated the whole members for the enſuing aſſembly. And, in their private inſtructions, they ordained, that the commiſſioner of the ſhire ſhould, on the day before the election, adminiſter an oath to the elders, that they ſhould vote for none to be members of aſſembly, but ſuch as were already nominated by *the tables*. If, after all theſe precautions, any malignant members ſhould happen to be introduced, they had an eaſy way of ſetting him aſide; and this was by libelling him before that aſſembly †, as guilty of ſome offence, no matter how void of truth, or even of probability; for, by their conſtitutions, if any member was accuſed before the eccleſiaſtical courts,

* King's dec. p. 189. 191. 283. † King's dec. p. 207. 218. 225.

1638. courts, he could not claim a vote till he had cleared himſelf of the accuſation. They accordingly rid themſelves of the prelates in a very ſummary manner. They accuſed the two Archbiſhops, and the whole biſhops of Scotland, as guilty, each of them reſpectively, of 'exceſſive drinking, whoring, gaming, profanation of the Sab-'bath, contempt of public ordinances and family-worſhip, mocking 'at preaching, prayer, and ſpiritual conference; as alſo of bribery, 'ſimony, diſhoneſty, perjury, oppreſſion, adultery, and inceſt.' For the better publication of this modeſt libel, it was read in all the churches of Edinburgh, immediately after the celebration of the communion; and the day being far ſpent, the thankſgivings and prayers uſual after that religious ordinance were omitted, to make way for this pious proclamation. Yet, ſo conſcious were they of the infamy of their accuſation, that, when the aſſembly was held, they did not attempt to prove * a libel, which, in itſelf, was ſo palpable a mockery of piety, morality, and truth.

That no device might be omitted, for practiſing upon the paſſions of the vulgar, the covenanters called to their aid a *propheteſs*. This was one Mitchelſon, a clergyman's daughter, who was ſubject to hyſterical diſorders, and, being tainted with the religious prejudices of the times, ſhe uſed to pour forth wild incoherent rhapſodies, which, as they were accompanied with hyſterical motions, and violent contortions of feature, produced the more ſenſible effect upon the ſpectators, who were loſt in fear and in wonder, while they deemed her frantic geſtures and exclamations the immediate impulſe of ſupernatural influence. The covenant was her perpetual theme, and its leaders paid her the moſt profound veneration. The true genuine covenant, ſhe ſaid, was ratified in heaven; but the King's

* Yet one of their ſlanderous preachers, who was deemed a ſaint among them, whoſe writings are a compoſition of hypocriſy, calumny, obſcenity, and nonſenſe, not to add blaſphemy, impudently accuſes the moſt learned and pious prelate that ever ſat in the metropolitan chair of Scotland, of inceſt with his own daughter. Rutherford's Lex Rex, p. 6. See alſo Rutherford's Letters.

King's covenant was an invention of Satan, and all its adherents 1638.
ſhould be confounded. When ſhe ſpoke of Chriſt, ſhe uſually called him the *Covenanting Jeſus*. Rollock, then miniſter of the College-church, being deſired by the ſpectators to pray with her, anſwered, 'That he durſt not *; for it would be ill manners in him to ſpeak, 'while his maſter, Chriſt, was ſpeaking in her.' She ſpoke but at times, and frequently had intermiſſions of days and weeks; and, when ſhe felt the *preſentiment* of an approaching impulſe, the joyful news was ſounded abroad; nobility, gentry, clergy, in ſhort, all ranks, flew with that eagerneſs to learn her inſpirations, as if it had been to meet a ſecond Redeemer. Thouſands, whom the crouded houſe could not receive, clung about the walls, ſtriving to ſuck in the leaſt whiſper of the holy ſound. Her ravings were deemed the operations of the Holy Spirit, her prophecies, the oracles of truth; and each went away animated with enthuſiaſtic fervour, and rivetted in his principles, by this immediate declaration of Heaven in their behalf.

On the 21ſt of November, the aſſembly met at Glaſgow, agree- Nov. 21.
ably to the royal proclamation; and, beſides a vaſt concourſe of people, almoſt all the nobility and gentry, of any family or intereſt, were preſent, either as elders or aſſeſſors. It might naturally be ſuppoſed, that the covenanters having unrivalled authority in the aſſembly, indeed almoſt its unanimous ſuffrages, of their † party, would, in determining the validity of commiſſions ‡, and other preliminary points, have aſſumed the ſemblance of impartiality, by adhering to the rules of the court, and the common forms of juſtice. Quite otherwiſe, they proceeded with the moſt flagrant contempt of decorum; and the commiſſioner perceiving them hurrying on with headlong impetuoſity, and knowing the reſolutions they had formed, diſſolved the aſſembly. As this ſtep was foreſeen, the moderator addreſſed his Grace in a well written ſpeech, which he had ready for the occaſion, intreating him

* King's dec. p. 227. † King's dec. from p. 239. to p. 246. ‡ There were not above half a dozen members returned to the aſſembly, who had not been nominated by the tables.

1638. him not to leave them. But he required the moderator to ſay prayers, and diſmiſs the aſſembly; and this not being complied with, he retired, the court continuing to ſit, notwithſtanding the commiſſioner's having pronounced it diſſolved. In one hour, all the acts of aſſembly paſſed ſince the acceſſion of James to the throne of England, were declared * null and void, although many of them had been confirmed by parliament. Afterwards, the whole biſhops were deprived and excommunicated, epiſcopacy, the articles of Perth, the canons, and the liturgy aboliſhed, and every one ordered to ſubſcribe the covenant under pain of excommunication.

Beſides theſe, the covenanters revived a doctrine, in itſelf ſubverſive of all government, but which had ever been the teſt of a zealous preſbyterian, 'the independency of the eccleſiaſtical upon the civil 'power.' This James had compelled them publicly to abandon; but, as they had always adhered to it in ſecret, they now advanced it boldly. They † uſed to ſtate a compariſon between Chriſt and the King, the aſſembly and the parliament; and, as the former held themſelves the council of the greater maſter, they inferred, at leaſt, an independency upon the latter. Nay, they harboured the ſame pretenſions to ſuperiority over temporal princes, for which the Roman pontiff ſo boldly ſtruggled. 'Kings (ſays their great oracle) are un-'der the coactive power ‡ of Chriſt's keys of diſcipline; and paſtors, 'as ambaſſadors of Chriſt, have the keys of the kingdom of God.' The acts of their late aſſembly, as well as the tenor of their conduct, ſhowed that they did not hold this in ſpeculation alone. But, however much they might be ſatisfied of the ſoundneſs of theſe propoſitions,

1639. they were ſenſible they would by no means be admitted by the King, and that there was a neceſſity for ſupporting their tenets by military

Feb. 20. force. A meeting of the different eſtates of parliament was held at Edinburgh, and being reſolved to act *conſcientiouſly*, the opinion of eminent lawyers and divines was taken concerning the legality of raiſing war ‖ (defenſive

* King's dec. p. 317. † King's dec. p. 288, 407. 408. ‡ Rutherford's Lex Rex, p. 3. ‖ Guthrie's Mem. p. 44.

defenſive, as they termed it), and a reſponſe was delivered of courſe in the affirmative. Sir Thomas Hope, although he held the office of his Majeſty's * advocate, was not aſhamed to aſſiſt at this conſultation, and to concur in the report. 1639.

War being unanimouſly reſolved on, Leſley was appointed General. Their operations began by an attack upon Edinburgh caſtle, which, as it had been provided by its prudent governour with no more men than in profound peace, and was utterly deſtitute of proviſions, it ſurrendered at the firſt ſummons. Their next enterpriſe was upon the houſe of Dalkeith, which † then belonged to the crown. Being a place of inconſiderable ſtrength, it alſo ſurrendered on demand; but it was well furniſhed with military ſtores, which were removed thence to ſupply Edinburgh caſtle. Thoſe who conducted the military operations, reſolved that a fortification ſhould be erected at Leith. The work was begun, and carried on with infinite alacrity; not only mercenaries, but an incredible number of volunteers, gentry, nobility, nay, the ladies themſelves, ſurmounting the delicacy of their ſex, and the reſerve ſo becoming them, put their hand to the work, happy if, at any expence, they could promote ſo pious a cauſe. March 21. March 23.

The covenanters diſplayed their ſagacity, in making the moſt ample preparations for the enſuing conteſt. Not truſting alone to their own vigour and unanimity, they deſpatched their emiſſaries to London to engage the non-conformiſts in their cauſe; and, knowing the diſguſt which France had conceived againſt Charles, for ‡ having declared his reſolutions to oppoſe her making conqueſt of the Low Countries, they applied to Richlieu, who ſecretly lent them aſſiſtance. Every fourth man, over all Scotland, was appointed to be armed; but the chief difficulty lay in raiſing money. For this, various expedients were fallen on during the courſe of the war. Firſt, they prevailed on a merchant, of the name of Dick, who had ob-

* Attorney General. † Guthrie's Mem. p. 44. 45. 46. ‡ Guthrie's Mem. p. 42. 47. 49. Hume's hiſt. v. 6. p. 272.

1639. tained a degree of wealth then not uſual to be acquired by commerce, to lend them L. 20,000 Sterling; and, flattering his vanity, by making him Lord Provoſt of Edinburgh, they afterwards drained him of large ſums, till, in the end, he died a beggar. They next ordained every perſon to bring in his plate to the receiver general, for which he was to receive bond from ſome perſon embarked in the cauſe. This propoſal was not immediately reliſhed; but the pulpits being * ſet to work, and the women entering keenly into the meaſure, it was adopted. The people were not more ready to lend money †, than thoſe more immediately engaged in the cauſe, to grant their bonds for the amount; and, it being deemed an honour to be allowed to become bound for the commonwealth, the leaders of the covenant, with prudence aud humility, indulged their inferiors in acquiring an honour, which, in the end, they found they had purchaſed dearly. The committee of eſtates next proceeded to impoſe an exciſe on ‡ ſundry ſpecies of goods; but the citizens learning their deſign, roſe tumultuouſly, ſurrounded the houſe where they ſat, and compelled them to diſcharge the tax; yet ſo eaſily was the mob practiſed upon by the miniſters, that, by their perſuaſion, they, at the next meeting of eſtates, allowed it to be impoſed without grumbling. But the eſtates fell upon another expedient for levying money, on which they valued themſelves highly. When any perſon was ſuſpected of *malignity*, i. e. attachment to the royal cauſe, he was immediately called before them, and ordered to lend them one or two hundred pounds Sterling, perhaps more. If he ſcrupled, the proportion ‖ was immediately doubled; or, if he profeſſed want of money, ſome of the collectors, who were always at hand, offered

* Guthrie's Mem. p. 62. 63. † Theſe expedients were not all invented and executed at once. The firſt, that of borrowing money from the merchant, was practiſed A. D. 1639; that of bringing in the ſilver plate in 1640; that of impoſing an exciſe in January 1645; that of *reaching the heart malignants* in 1647; and the city of Edinburgh's caſe of conſcience happened A. D. 1649. ‡ Ibid. p. 125. ‖ Guthrie's Mem. p. 204.

offered to lend him the ſum, payable againſt the next term, with 1639.
intereſt. This, they ſaid, was a notable device for *reaching heart-malignants*.

But the conduct of the corporation of Edinburgh, reſpecting the money which they levied, deſerves to be particularly deſcribed. Although no friends to the royal cauſe, they were prevailed on, after the murder of Charles I. to join the national engagement in favour of his ſon, and to advance about L. 3300, in lieu of 1200 men which they had engaged to furniſh.* For this purpoſe they borrowed a ſum, the town not being poſſeſſed of ready money; but the royal army being defeated at the battle of Worceſter, they totally diſclaimed the engagement for which the money was raiſed, and refuſed to pay the town's creditors who had lent it them: That their conſciences might be the better informed concerning the moral rectitude * of this refuſal, they conſulted the committee of the general aſſembly, 'Whether, the engagement being unlawful, they were 'bound in conſcience to pay the money borrowed in ſupport of it;' and the venerable the committee of aſſembly declared, 'It is the 'judgment of the commiſſion, that the provoſt, bailies, and council 'of Edinburgh, who ſtate the caſe, ſhould not, in conſcience, pay 'any part of the foreſaid ſum, nor interpoſe their authority for 'paying of the ſame.' But, when the creditors ſued afterwards for payment of their bonds, Oliver Cromwell's parliament, not being ſo verſant in *matters of conſcience*, ordained them to diſcharge the debt.

Charles having alſo made warlike preparations, ſent, under the Marquis of Hamilton, a fleet of twenty ſhips of war, with 5000 land-forces on board. Hamilton was inſtructed to bend his courſe for the Forth, to reduce Edinburgh and Leith to obedience; and, by making what impreſſion he could on theſe parts, to prevent new levies from being made, or ſuccours † of any ſort ſent to the Scots army, then on its march for England. The fleet accordingly arrived

* Council reg. v. 17. p. 215. 359.

† Guthrie's Mem. p. 48. Baker's chronicle, p. 467.

1639. in the Forth; but remained in a ſtate of total inaction, till the ſud-
May 21. den pacification which Charles patched up with the Scots made him recall this warlike pageant. By an article in this treaty, it was ſtipulated that the garriſons ſhould be reſtored to the King. Edinburgh caſtle was accordingly delivered to the Marquis of Hamilton;
June 22. but the covenanters, juſtly ſuſpecting that no laſting peace would flow from ſo inconſiderate a treaty, and who ſtill continued in a warlike poſture, would not ſuffer the walls of the caſtle to be rebuilt, they
Nov. 29. having tumbled down on the King's birth-night thereafter.

The Scots army having marched into England, and continued there almoſt a twelvemonth, were treated by the Engliſh parliament with a courteſy, which behoved to be extremely mortifying to Charles. The Scottiſh nation, in general, were inſpired with enthuſiaſtic ardour for the propagation of their theological doctrines. When they thought upon the poverty of their country, they comforted themſelves, by reflecting that God had ſhowered down ſpiritual treaſures upon them more abundantly, than upon any people on the face of the earth. So confident were they of ſucceſs, that the moſt zealous among * them boaſted, they ſhould carry the triumphant banners of the covenant to Rome itſelf. It behoved then to be highly flattering to them, to ſee their religious tenets approven
1641. by the Engliſh. They received, however, more ſubſtantial comfort; the † Engliſh paid them L. 850 *per diem*, beſides L. 300,000 in the name of brotherly aſſiſtance.

Charles made a journey to Edinburgh, with a deſire to ſettle the peace of Scotland. There he reſigned almoſt every branch of his prerogative, in ſo much that he hardly retained ‡ more than the empty title of ſovereignty. From an error in judgment, he injured his feelings, by adopting a timid ungenerous policy, which was attended with deſervedly bad fortune. Every ſpecies of preferment in wealth, title, and office, he beſtowed on thoſe whoſe fidelity to him was

* Guthrie's Mem. p. 95. † Ibid. p. 83. ‡ Ibid. p. 86. 87. 88. 89.; Baker's chron. p. 512.

was ſuſpected, or whoſe enmity was avowed. The Marquis of Ha- 1641.
milton was created a Duke; but, while the patent was paſſing the ſeals, he fled from Edinburgh, on pretence that the court had plotted his aſſaſſination. The Earl of Argyle, his apparent rival, and head of the covenanters, was created a Marquis; yet, on pretence of a ſimilar danger, he, in this unaccountable flight, accompanied his rival. The General who had conducted the army againſt Charles into England, was created Earl of Leven, and governor of Edinburgh caſtle; and the moderator of the general aſſembly, which, with illegal violence, had aboliſhed epiſcopacy, was rewarded with the revenues of the chapel royal. As for his ſteady friends, they were turned out of all their employments, or paſſed by in total neglect, which occaſioned this remarkable ſaying of the Earl of Carnwath, a warm adherent of the King's: 'He would go to * Ireland, 'and join Sir Phelim Oneal, and then he would be ſure of royal 'preferment.' In this manner the King loſt his friends, without gaining his enemies, and left the goodneſs of his heart to be called in queſtion.

Upon the breaking out of the civil wars in England, the money which the parliament † of that nation had beſtowed upon the Scottiſh army, was found not to have been miſapplied. A new covenant was drawn up at Edinburgh, in the name of all ranks of the people of Scotland, England, and Ireland, in which the ſubſcribers 1643.
bound themſelves to the mutual defence of each other, againſt all Oct. 13.
opponents whatever, to aboliſh popery and prelacy, and to reform the church of England according to the word of God, and example of the pureſt churches; and an army of twenty thouſand men, conducted by the Earl ‡ of Leven, entered England, on behalf of the parliament.

Through the whole of this war, the conduct of the Scots was exceedingly diſgraceful. From ſordid motives, or intemperate zeal, they

* Guthrie's mem. p. 94. † Ibid. p. 121. 122.; Scott's hiſt. p. 625. ‡ Hume's hiſt. v. 6. p. 476.

1643. they embroiled the nation in a civil war, and diſplayed the moſt undiſguiſed violence about religious trifles, while they covered the groſſeſt immoralities, and the moſt complicated treachery to their Sovereign, under deep diſſimulation and hypocriſy. Of the whole nation, the gallant Montroſe alone was conſpicuous for courage, conduct, and fidelity to his Sovereign; yet he, too, departed from the cauſe which he originally embraced. As for thoſe whom Charles truſted, except a few who were turned out of office, their uniform purpoſe ſeems to have been to adviſe the King to meaſures that would lead to his deſtruction, and, at the ſame time, by keeping ſome credit with his party, to prevent his friends from acting vigorouſly in his behalf. Since the removal of the ſeat of empire to England, his Majeſty's advocate is the officer of higheſt truſt under the crown. Yet, from the firſt troubles in this reign, till death ſcreened him from temporal puniſhment, Sir Thomas Hope abuſed the confidence of his Sovereign, and the high truſt repoſed in him, by aſſiſting at every cabal, by ſuggeſting every device for his maſter's ruin. The Duke of Hamilton, the near kinſman of Charles, as well as the firſt Peer of the realm, who repreſented his perſon in the great councils of the nation, who commanded powerful fleets and armies in times of critical danger, and who, therefore, ſhould have ſteered no middle courſe, diſplayed that ſame irreſolute, wavering, undecided conduct which characterized his grandſon at the union, and which laid the former under ſuſpicions of infidelity to his maſter, although he forfeited his life in the cauſe. At laſt the Scottiſh leaders were involved in a dilemma which brought on the nation a greater odium than perhaps it deſerved. They were ſuppoſed to have ſold their King for a piece of ſilver.

Charles being reduced to the utmoſt diſtreſs, wiſhed to try if his appearance among the Scots could awaken in them any ſparks of generoſity to their fallen monarch, or perhaps excite a diviſion between them and the parliament. For this purpoſe, he fled from Oxford to the Scots camp at Newark. But he had little reaſon to boaſt

boaſt of his reception. He found himſelf a priſoner diſturbed by the contentions of the Scots and Engliſh, each of them claiming a preferable right to the diſpoſal of his perſon. The Scots ſtill entertained the ſame idea of limiting the royal authority, and diffuſing their religious perſuaſions, for which they had ſo long been in arms. Had they wiſhed to have carried him priſoner to their own country, they could not hope to accompliſh it, in oppoſition to the numerous and victorious armies of England, nor to defend his perſon without embroiling the nation in a war with a ſuperior power, and ruining the work they had raiſed with ſuch labour: And it is evident, that 1646.
the only way in which they could ſupport themſelves againſt the parliamentary forces, was by returning to their allegiance, and, by joining the royaliſts in both kingdoms, to have endeavoured to obtain from the Engliſh parliament more equitable terms for their diſtreſſed Sovereign. Had a ſudden impulſe of a ſenſe of duty led them to ſuch a meaſure, it would have been as ſingular as laudable. But, to ſuppoſe them actuated by no ſuch principle, yet joining their inveterate enemies in attacking their friends, is to figure them acting from romantic generoſity, or rather from the height of extravance. Being thus reduced to a dilemma, from which they could not extricate themſelves without imprudence or infamy, they luckily bethought themſelves of the arrears due to the army from the Engliſh parliament, and were reſolved to ſell dearly what would have been a plague to them to have kept. Accordingly, it was ſtipulated, that the Scottiſh army ſhould withdraw, on receiving their arrears, which were fixed at four hundred thouſand pounds Sterling; a half to be paid inſtantly, and the other within a twelvemonth; and the King was delivered up, in conſequence of the tranſaction.

Still, however, the Scots, from the application which they made of this money, as well as from their ſubſequent conduct, when the court of high commiſſion ſat upon Charles, muſt incur laſting reproach. The parliamentary leaders appropriated great part of the money to themſelves. They began, by paſſing an act, that none

who

1646. who had favoured the rebels, (i. e. thoſe who adhered to the King), * ſhould receive any part of this ſum, *the Duke of Hamilton excepted.* Out of this money, they afterwards allotted to the Marquis of Argyle L. 30,000; to his friends and followers L. 15,000; to the Duke of Hamilton L. 30,000. The reſt was beſtowed in gratuities to the party in ſmaller proportions, and in paying off the army. When the parliament of Scotland learned that a court of high commiſſion was appointed to try the King for high treaſon, they diſſented, and proteſted againſt any violence being uſed againſt his life; and they ſent inſtructions to their commiſſioners at London to exert themſelves in his behalf. The nature of theſe inſtructions evince, that the Scots did not interpoſe warmly, nor perhaps even ſincerely. The commiſſioners were ordered expreſsly, not to debate concerning the lawfulneſs of putting the King to death; and, at no event, to do or ſay any thing which might involve them in a quarrel with England. The more rigid among them entertained more decided ſentiments; they boldly avowed, that Charles, in his death, 'received the juſt † demerit for all his oppreſſions, murders, treachery, 'and treaſon.'

Charles being dead, the Scottiſh parliament paſſed an ordinance, repeating their diſapprobation of the bloody meaſures which had been purſued againſt him, and proclaiming his ſon Charles King of Great Britain; but at the ſame time declaring, that, before he ſhould be admitted to the exerciſe of the royal authority, he ſhould be obliged to ſubſcribe the covenant, and, indeed, to give ſecurity for his good behaviour. Nor did he owe this declaration, in his behalf, ſo much to any favour they entertained for his perſon, or for monarchy, as to the enmity which they entertained againſt the *independents*, and the indignation they felt at ſeeing their covenant deſpiſed and rejected by the Engliſh; for, when the committee of eſtates learned

* Reſcinded acts, Charles I. parl. 3. ſeſſ. 6. c. 31. Unprinted ditto, 30th January 1647. Guthrie's Mem. p. 197. † Hind let looſe, p. 68.

learned that his Majeſty had not cloſed with * them in the propoſals they had ſent to him, then at the Hague, for the ſecurity of religion, out of forty members which ſat in the committee, eighteen voted that no more addreſſes ſhould be ſent to the King. A violent remonſtrance, by the weſtern counties, then in arms, was preſented to the eſtates, againſt their treating with the King; and, when he arrived in Scotland, in conſequence of an agreement with the eſtates, the great apoſtle of the covenant † received him with a public harangue, in which he told the King, that, if he did not perſiſt in the covenant, '*actum eſt de Rege, et re regia.*' 1650.

In the mean time, Montroſe having received a commiſſion from the King, appointing him Captain General in Scotland, landed in the north with about 500 foreigners, gallantly attempting to ſeat the King on his native throne, on more reaſonable terms than were propoſed to him by the rigid covenanters: But he ſuffered a total overthrow; and, diſguiſing himſelf in the habit of a peaſant, he entruſted his perſon to a friend, by whom he was perfidiouſly betrayed, and was carried priſoner to Edinburgh. There he was treated with all the ignominy with which baſe ſpirits exult over the object of their fear, when reduced within their power, and with the ſeverity natural to men, whoſe minds were hardened, and paſſions inflamed againſt each other, by a long train of civil wars, heightened by all the rancour of theological fervour. At the Watergate, he was met by the magiſtrates, the city-guard, and the executioner, who conducted him along the ſtreets in fatal pomp. The other priſoners, bound two and two, walked before him; Montroſe followed, on a new cart made for the purpoſe, with a high ſeat, to which he was bound with cords, that he might be the more fully expoſed to the rabble; the hangman riding before him in his livery coat and bonnet, while Montroſe ſat uncovered. In this manner was he con- May 18.

R ducted

* Peck's Deſiderata curioſa, lib. 11. p. 12. Sir Edward Walker's hiſtorical diſcourſes, p. 157. 160. Remonſtrance of the weſtern Scottiſh forces, p. 6. † Rutherford.

1650. ducted to the tolbooth, amidſt an immenſe croud of ſpectators, who, ſo far from approving theſe ſtudied indignities, lamented in tears the ſad reverſe of his fortune.

Next day, being Sunday, he was peſtered with the viſits and exhortations of the clergy, who, with officious zeal, deſcanted upon the enormous wickedneſs of his life, repreſenting to him, that the temporal puniſhment he would ſpeedily ſuffer, would be but a ſhort and eaſy prologue to what he muſt undergo hereafter; and offering to pray for a deliverance to him from his lapſed eſtate; but he declined the compliment of their prayers, with the bitterneſs of which he was perfectly acquainted. At the ſame time, the pulpits rang with declamations againſt him, repreſenting him as the grand enemy of all piety and religion, and with reproaches upon the people for the profane tenderneſs they manifeſted for him, which was termed 'movements of rebel nature.' Nay, to ſuch trivial matters did their reſentment deſcend, that the general aſſembly * had ordained thoſe to be ſuſpended from church-ordinances, who ſhould preſume to drink Montroſe's health. Next day he was brought before the parliament. He had dreſſed himſelf in gay and ſplendid attire, as if prepared rather to celebrate a feſtival, than to meet the tragical ca-
May 21. taſtrophe which was to put an end to his life. There he bore, with heroic fortitude, the inſults and reproaches with which the chancellor accompanied the ſentence he pronounced on him, and maintained that ſuperiority over his iniquitous judges, to which the greatneſs of his mind, the fame of his exploits, and the juſtice of his cauſe, ſo well entitled him. With equal reſolution, he bore the ignominious death deſtined for the meaneſt malefactors; and his limbs were ſtuck up on the chief cities of the kingdom. In the laſt ſcene of this tragedy, he could not help ſmiling at the miſtaken, yet unrelenting malice of his enemies. The executioner brought a book, which had been publiſhed, extolling his gallant exploits, and tied it about

* Hind let looſe, p. 82.

about his neck by a cord. He thanked them for their officiouſneſs, 1650.
obſerving, that he bore this teſtimony of his bravery and loyalty, with more pride than he had ever worn the garter. Such is the triumph of virtue, that death, armed with every terror of cruelty and diſgrace, cannot debaſe it; but, with inbred and eſſential greatneſs, it affords courage and conſolation in the moſt diſmal reverſes of fortune.

The Engliſh parliament, foreſeeing that the treaty between Charles and the Scots would probably terminate in an accommodation, ſent into Scotland an army of 16,000 men, under the command of Cromwell. In order to ſow diviſions among the Scots, the army ſent before them a declaration, addreſſed 'to all that are ſaints and partakers of the faith of God's * elect in Scotland.' In this declaration, they, in very plauſible arguments, charge the Scots with violation of the treaty between them; juſtify the independency of their conduct, in new modelling the government, as being a free ſtate; and the neceſſity of their taking up arms, to prevent Scotland from entering into a treaty with the King, for reſtoring to him all his dominions; which treaty they conjured that nation, in the bowels of Chriſt, and in the fear of the Lord, to renounce; and praying, that, if it ſhould not be renounced, 'the precious in Scotland might ſtill 'be ſeparated from the vile.' Cromwell's army croſſed the Tweed on the 22d of July; and, marching by Haddington, towards Edin- July 22.
burgh, they encamped nigh Pentland-hills, within a few miles of the city. The Scottiſh army, commanded by Leſley, was drawn up at Corſterphin, whence the chancellor, who was with them †, wrote to the magiſtrates of Edinburgh for a ſupply of proviſions, requeſting them, at the ſame time, 'to ply the Lord and his throne with ſtrong 'prayers and ſupplications in their behalf,' without whoſe help they were utterly ruined. The Scottiſh army afterwards entrenched themſelves in a fortified camp between Edinburgh and Leith; and

* Declaration of the army of England, p. 3. et ſeq. † Letter from Lord London. in archieves, Edinburgh.

1650. Cromwell having endeavoured in vain to provoke them to a battle, and having ſuffered in ſeveral ſkirmiſhes, retired to Dunbar.

The ſubſcription of the covenant being warmly urged upon Charles, and indeed made an indiſpenſible preliminary by his ſubjects to their paying him allegiance; and the King, ſeeing no other way of recovering his dominions, at laſt conſented to it with exceeding reluctance. He ſet ſail for Scotland; but, before he was ſuffered to ſet his foot on ſhore, he was waited on by a deputation of the clergy, who exacted his ſubſcription to the national, and to the ſolemn league and covenant; and, at the ſame time, fortified his mind with many zealous exhortations to perſevere in it. The covenant being ſubſcribed, he was ſuffered to land; but all his friends who had come with him from Holland, and who had ſhared with him the varieties of his fortune, as being malignants and profane perſons, were debarred from his preſence; and the clergy would permit none but their own creatures to be near him. They reſolved to give him a ſample of the dominion of grace. They exerciſed over the firſt magiſtrate of the nation the acmé of ſpiritual tyranny; and, as the nuncio treated the profligate King of England, ſo they, having brought the diadem to their feet, were reſolved to
Aug. 13. trample upon it with ſtudied indignity. The general aſſembly, and afterwards the committee of eſtates and the army, iſſued a declaration, in which they proteſted, 'That they did not eſpouſe any *ma-*
'*lignant* quarrel or party, but that they fought merely upon* their
'former grounds and principles: That they diſclaimed all the ſins
'and guilt of the King, and of his houſe; and that they would not
'own him, except in ſubordination to God, and in ſo far as he pro-
'ſecuted God's cauſe: And proteſted, that their conduct might not
'be miſinterpreted, as if they had any deſign to ſupport his Ma-
'jeſty, without his making acknowledgement of the ſins of his
'houſe, and of his former ways.' They next extorted from him a declaration, in which 'he gave thanks for the merciful diſpen-
'ſations

* Sir Edward Walker's hiſtorical diſcourſes, p. 166. 168.

'sations of providence, by which he was recovered out of the ſnare 1650.
'of evil councils: That he had attained to a full ſenſe of the righ- Aug. 16.
'teouſneſs of the covenant, and was reſolved to caſt himſelf and his
'intereſt wholly* upon God: That he deſired to be deeply humbled
'and afflicted in ſpirit for his father's having followed evil councils,
'by which ſo much of the blood of the Lord's people have been
'ſhed; as alſo, for the idolatry of his mother, the toleration where-
'of in his father's houſe could not but be a high provocation to
'Him, who is a jealous God, viſiting the ſins of the father upon
'the children: That he ingenuouſly acknowledged all his own ſins,
'and the ſins of his father's houſe, craving pardon, and hoping for
'mercy and reconciliation through the blood of Jeſus: That he
'would have no enemies but the enemies of the covenant: That
'he deteſted and abhorred popery, prelacy, and ſchiſm, and was
'reſolved not to countenance, *nor even tolerate them in any part of*
'*his dominions*: That he was determined in life, or even unto death,
'to proſecute the ends of the covenant: And that, whatever bad
'ſucceſs his Majeſty's guiltineſs before God might formerly have
'occaſioned, yet now, that the caſe was altered, and his Majeſty
'had obtained the mercy to be upon God's ſide, he hoped the Lord
'would graciouſly countenance his own cauſe in the hands of weak
'and ſinful inſtruments, againſt all enemies whatever.'

Not contented with the contumelies they had heaped upon their Sovereign, they prepared for him a ſcene of ſtill greater indignity. Nothing now would ſatisfy the clergy, but that the King ſhould do public † penance before the whole land. The general aſſembly drew up twelve articles, in which they muſtered all the pretended ſins of his Majeſty, and his predeceſſors, for four generations back; and for theſe they ordained, that the King, his houſehold, and the whole land, ſhould do ſolemn and public penance; an event, however, happened which ſaved him from that diſgrace.

Cromwell's

* Sir Edward Walker's hiſtorical diſcourſes, from p. 170. to 176. † Ibid. p. 178.

1650. Cromwell's army lay at Dunbar in a very bad ſituation. They were ſo ſtraitened for proviſions, that he had meditated to ſend his foot and artillery by ſea into England, and to break through with his horſe in the beſt manner he could. Leſley had ſecured the paſſes between Dunbar and Berwick, ſo that Cromwell's retreat would have been as dangerous as diſgraceful. But he was ſpared this mortification by the madneſs of the clergy. The Scots army, inſtead of being under the authority of their general, was regulated by a committee of clergymen, who took care to ſee it purged from all profane perſons, that no iniquities ſhould be committed, particularly that of Sabbath-breaking, and who, in general, ſuperintended its motions. Having cleared the army of about four thouſand profane perſons, they concluded, that they were a body of ſaints, and conſequently invincible. At the ſame time, the clergy had been wreſtling night and day with the Lord, as they termed it. At laſt, a revelation was made to them, that the ſectarian and heretical army, together with Agag, (that is, Cromwell), were delivered into their hands. Puffed up* with this imaginary revelation, they compelled the general, in ſpite of all his remonſtrances, to deſcend into the plain, to give battle to Cromwell. In a few minutes, their
Sept 3. army of ſixteen thouſand foot, and ſeven thouſand horſe, was totally routed. The clergy made great lamentations. They told the Lord, that it was little to them to loſe their lives and fortunes, but to him it was great loſs to ſuffer his elect to be deſtroyed: And they aſcribed their overthrow to the wickedneſs of the land, the manifold provocations of the King's houſe, the leaving a moſt malignant and profane guard of horſe about the King, the owning of the King's quarrel, without due ſubordination to religion and liberty, and the carnal ſelf-ſeeking of ſome, together with the neglect of family-worſhip in others. Beſides theſe, they ſuppoſed that the Lord had conſented to their overthrow, that more blood, blaſphemy, cruelty, and treachery might be upon the head of their

* Sir Edward Walker's hiſt. diſc. p. 180. et ſeq.; Hume's hiſt. v. 7. p. 196.

their * enemies; becauſe victory was a burthening and weighty mercy which they had not ſtrength to bear; and becauſe their enemies were not enough hardened, nor they ſufficiently mortified. 1650.

Charles had been reduced to ſo ſingular a ſituation, that the defeat of the army fighting in his behalf was to him rather a matter of triumph; for thereby he was exempted from that horrible tyranny to which the eccleſiaſtics, elated by victory, would have ſubjected him. They found it neceſſary to treat him with ſomewhat † more diſcretion, leſt, by urging him to extremity, he might be induced to leave them entirely, and to throw himſelf upon the malignants. The penance which they had ordained for him was changed into the ceremony of his coronation. And a numerous army marched with him into England, where they ſuffered a compleat overthrow, which was attended, for a period, with the entire ſuppreſſion of the royaliſts.

Cromwell, purſuing his advantage, took poſſeſſion of Edinburgh and Leith; but he did not make himſelf maſter of the caſtle till the end of December. He went on with the fortifications ‡ at Leith, which the Scots had left unfiniſhed; and he uſed the people, in general, with much civility, yet plundering, at the ſame time, the houſes of thoſe who had manifeſted, towards him, their enmity and terror, by deſerting their habitations. Upon news being received at Edinburgh, of the defeat at Dunbar, the Lord Provoſt and Magiſtrates, at the deſire of the Chancellor ‖, left the city and fled to Stirling. That the place might not remain in a ſtate of anarchy, the inhabitants aſſembled, and choſe, from among their number, thirty of their moſt reſpectable citizens, whom they inveſted with powers to treat with Cromwell, to preſerve the peace of the city, and to manage its affairs, till the legal adminiſtrators of the city ſhould reſume their function. Theſe diſcharged their truſt with ſuch prudence and fidelity, that, on the town-council's being re-eſtabliſhed, they Sept. 7. Dec. 24.

* Rutherford's letters, p. 554. † Hume's hiſt. v. 7. p. 201. ‡ Sir Edward Walker's hiſt. diſc. p. 186. Scot's hiſt. p. 664. Baker's chron. p. 603. ‖ Council reg. v. 27. p. 291. 292.

1650. they not only received the thanks of the city, but got a more ſolid * mark of approbation, in having the orders and reſolutions pronounced, during their management, legally confirmed.

1652. Upon the Engliſh commiſſioners for ſettling the affairs of † Scotland being arrived at Dalkeith, a deputation of the citizens waited upon
Jan. 20. them, and ſolicited a reſtitution of their magiſtracy. The commiſſioners accordingly, having examined the former grants, conſtituting the political conſtitution of the borough, reſtored to them their magiſtrates and council as formerly. The Engliſh parliament alſo required the pro-
Feb. 11. prietors of houſes, and inhabitants ‡ of Edinburgh, to chooſe two repreſentatives to meet with the commiſſioners at Dalkeith, along with thoſe from the other boroughs and counties in Scotland, for ſettling the government of the nation. An appearance of aſſent was obtained in this aſſembly to Cromwell's ‖ ſcheme, of incorporating England, Scotland, and Ireland, into one commonwealth; which, after this aſſent had been obtained, was ratified by an ordinance of the parliament of England. By the articles of Union, thirty members from Scotland, (out of which the city of Edinburgh to chooſe two), and the like number from Ireland, were to aſſiſt the Engliſh repreſentatives in forming the parliament of the commonwealth. But Cromwell himſelf portioned out the diſtricts which were allowed the pri-
1654. vilege of parliamentary repreſentation. In theſe articles, Cromwell diſplayed his ſagacity, in wrenching the exorbitant power from the Scottiſh chieftains, by the abolition of that vaſſallage, in which they held their dependants enſlaved, and which has been found ſo incompatible with liberty, as to have been utterly eradicated, after the extinction of the laſt rebellion, agitated by the houſe of Stuart. Engliſh judges, joined to ſome Scottiſh, decided all cauſes; and, although

* Council reg. v. 18. p. 14. † Council reg. v. 17. p. 295. ‡ Council reg. v. 17. p. 298. ‖ Declarations, ordinances, and proclamations of Cromwell and the Engliſh parliament, 12th April, and 27th July 1654.

though the government was founded in manifeſt uſurpation, peace and order were maintained *, and juſtice diſtributed with a more ſteady and impartial hand, than when Scotland was under the government of her native monarchs; or, indeed, to ſpeak more properly, under the influence of her tyrannical nobles. 1654.

* Hume's hiſt. v. 7. p. 215.

CHAPTER IV.

RESTORATION—Re-eſtabliſhment of Epiſcopacy—Duplicity of Charles II.—Severities of Government towards the Preſbyterians—Inſurrection—Defeat of the Inſurgents, and their Reſolution under their Sufferings—Various Meaſures of the Court—Archbiſhop Sharp—Perfidy of Charles's Miniſters—Extenſion of the Prerogative—Additional Severities of Adminiſtration—Treaſonable and frantic Doctrines of the Covenanters—Murder of the Archbiſhop of St Andrews—Inſurrection—Battle of Bothwell Bridge—Declaration of Sanquhar—Cargill, a Clergyman, excommunicates the King—Another Inſurrection—Earl of Argyle—Apologetical Declaration—Rapacity of Lauderdale—Reflections on the foregoing Period—Prices of Proviſions from A. D. 1600 to 1685—Specimens of the King's College Table, Aberdeen—Specimens of the Table of the Earl of Hadington.

1660. CHARLES being reſtored to the throne of his anceſtors, without bloodſhed or oppoſition, the loyaliſts, ſo long depreſſed, gave full ſcope to their paſſion for monarchy, by an ample increaſe of the power * and prerogative of the crown. The city of Edinburgh, as a teſtimony of her loyalty, ſent the King L. 1000 and his Majeſty, in return †, gave the magiſtrates power to levy one-third of a penny on the pint of ale, and twopence on the pint of wine conſumed within the city; for it has always been equally unfortunate for the inhabitants, whether the magiſtrates teſtified their loyalty or ſedition. Both were made pretexts for leving money from the inhabitants; and the only difference lay in the name beſtowed on this exaction, which, in the one caſe, was called a *tax*, in the other a *fine*.

Notwithſtanding

* As a ſpecimen of the manner in which the birth-day was obſerved, during this tide of loyalty, ſee appendix No. III. † Council reg. v. 20. p. 150. 213. 214.

Notwithſtanding the tide of loyalty which ſwelled the breaſts of the royaliſts, which, in its extravagance, affected to conſider the very ſeaſons themſelves as improved, the earth as yielding a double crop, and the rivers pouring forth their ſcaley fry in liberal abundance, at the approach of their returning Monarch, ſtill the bulk of the nation were preſbyterians. Theſe uniformly inclined to circumſcribe the royal authority. Indeed, many among them, in their ſentiments, preferred a republic. The King was fully ſenſible of their inclinations; he had, beſides, ſuffered many indignities from them; and he ſeems to have adopted a reſolution to eradicate the principle, and to ſuppreſs the party. A reſolution which he purſued through much tyranny and bloodſhed; and which, in all probability, laid the foundation for the utter ruin of the houſe of Stuart. 1660.

Charles, on his acceſſion, had written to the preſbytery of Edinburgh, aſſuring them of his * determination to ſupport the church-government, as by law eſtabliſhed. But this was merely duplicity and deceit; for, as the complaiſant parliament, which met ſoon after, reſcinded, at one ſtroke, the whole acts paſſed ſince A. D. 1633, thoſe in favour of preſbytery being of the number, epiſcopacy came to be tacitly re-eſtabliſhed, and a royal proclamation ſoon rendered that eſtabliſhment direct. Jan. 1. 1661.

With the generality of mankind, eſpecially in unenlightened ages, the attachment to the moſt valuable of our natural rights is not ſo zealous as to certain favourite tenets, or even forms of religion; and, it is generally obſerved, that the violence of the attachment increaſes in proportion to the inſignificancy of the ſubject of religious controverſy. In the death of his father, and the loſs of his dominions, Charles might have beheld many circumſtances which were experimental proofs of this doctrine. The Scots had ever entertained a violent averſion to epiſcopacy. The King had but juſt recovered from the recent and fatal effects of it. When his ſubjects received him

* Records of privy council, No. 1. p. 27. Sept. 6. 1661.

1661. from Breda, the ſecurity of the preſbyterian religion was ſtipulated as a preliminary article to their paying him allegiance. At his coronation, he bound * himſelf, by the moſt ſolemn oath, to preſerve it. At the reſtoration, he repeated theſe aſſurances. The preſbyterians could not with-hold their indignation and reſentment againſt Charles, for overturning, at the expence of ſuch complicated perfidy, the laws eſtabliſhing their religion; a perfidy which was to introduce the deteſted liturgy, in room of the enthuſiaſtical rhapſodies of their preachers, which were liſtened to with a delight proportioned to the barbarity of the audience, and which was to ſubſtitute the decent ceremonies of the epiſcopal communion, in place of that wild informality which was more ſuitable to the unbounded fervour of their imagination. Nor were they ſimply debarred from their own religious communion. A rigid attendance on the eſtabliſhed church was enforced with high pecuniary penalties. The zeal of the royaliſts overcoming their prudence, they embraced every opportunity of diſplaying the triumph of their party. The preſbyterians had been always averſe to the obſervation of particular days, which they deemed highly ſuperſtitious, perhaps even impious. When required to obſerve the birth-day, they anſwered thus: 'That they 'kept † *with ſtrictneſs the holy Chriſtian Sabbath:* That they would 'keep no other holy-day: That, on the moſt cogent reaſons, they 'did not obſerve Chriſtmas nor Eaſter; and that they could not do 'for their *King*, what had not been required of them to do for their '*Saviour*.' The government degraded themſelves in a contention with ſuch men as theſe, and, encountering both their appetites and their prejudices, the privy council, beſides inſiſting on the obſervance of the birth-day, enforced the rigid keeping ‡ of lent, and extended the *meagre days* to every Wedneſday, Friday, and Saturday through the year, on which days *no perſon durſt eat fleſh without warrant from the privy council.* The ſeeds of mutual jealouſy were

* Form of Charles II.'s coronation at Scone, p. 67. † Wodrow's hiſt. v. 1. p. 106. ‡ Records of privy council, No. 1. p. 123. 338.

were ſown. They ſprung up to a rancour which diſgraces the aera: On the one hand, to exceſſive tyranny and cruelty; on the other, to the moſt extravagant and uncontroulable ſpirit of rebellion.

Charles was hardly re-eſtabliſhed on the throne of his anceſtors, ere the privy council, the court which iſſued the edicts of his tyranny, betrayed a jealouſy of the people. Theſe, indeed, had already, in a variety of anonymous publications, manifeſted their diſcontent, and even ſedition. The liberty of the preſs, which, except in the late troubles, had ever been extremely limited, was now fettered with additional ſhackles. The Lord Advocate of Scotland *, and the Lord Provoſt of Edinburgh, were ordered to ſeize upon ſeditious publications, among which were reckoned a tranſlation of Buchanan's treatiſe '*de jure regni apud Scotos.*' People who happened to hold copies of obnoxious performances, were required to tranſmit them to the ſheriffs of their counties, or the clerk of privy council, under high penalties, ſometimes amounting to a hundred and fifty guineas a copy; and, beſides, they were made liable to be held as the authors. A ſentence of baniſhment to Shetland, even againſt women †, was deemed an adequate puniſhment for this imaginary 1662. offence.

Suſpicion and terror are ever the concomitants of conſcious guilt. An edict was publiſhed ‡, ordaining all inn-keepers and burgeſſes of Edinburgh, *every night*, to give up liſts of ſtrangers reſiding with them; and the diſarming laws, paſſed by James VI. which, with anxious jealouſy, deprived the people of the uſe of fire-arms, were put in rigorous execution, in ſo much that a gentleman could ‖ not keep a fowling piece for the purpoſe of ſport, without a warrant from the privy council.

Theſe were but a few among the illegal and oppreſſive meaſures of adminiſtration. Charles ſuſpended, in direct terms, an § act of parliament

* Records of privy council, No. 1. p. 55. 7th Nov. 1661. p. 364. 541. Charles II. parl. 1. ſeſſ. 3. c. 2. † Wodrow's hiſt. of the ſufferings of the church, v. 1. p. 236.
‡ Rec. of p. council, No. 1. p. 187. ‖ Ibid p. 560. § Ibid p. 563.

1662. parliament paſſed in his own reign. The privy council aſſumed a power of baniſhing ſummarily * to † the Weſt-Indies perſons who had committed riots, or otherways rendered themſelves obnoxious. The epiſcopal religion was ſo generally diſagreeable, that nearly an half ‡ of all the clergy in Scotland were depoſed for not conforming to it, perhaps, indeed, for more abſurd inſtances of obſtinacy; for many of them were ſo extravagant, that, on no account whatever ‖, would they take the oath of allegiance, but preferred depoſition and baniſhment, the certain conſequences of their refuſal. Enormous fines were impoſed on account of non-attendance on eſtabliſhed worſhip, and other abſurd pretexts; in ſo much, that, in the courſe of one ſeſſion of parliament, eighty-five thouſand pounds Sterling were ſqueezed § from the ſubjects in thoſe tyrannical exactions. And

* About this period, a tumult of a very ſingular nature happened in Edinburgh. We have not been able to diſcover the ſmalleſt veſtige of its original cauſe; its more immediate one was ſomewhat extraordinary. A combination had been formed (from what motives we know not,) among the whole ſhop-keepers in Edinburgh, to keep their ſhops ſhut. This reſolution they perſiſted in for two ſucceſſive days **. The confuſion which, in a great city, behoved neceſſarily to flow from ſo whimſical and perverſe a combination, may be eaſily conceived. A tumult aroſe; and it would ſeem that ſome of the rioters had proceeded to very unwarrantable meaſures. The privy council aſſembled. They required the magiſtrates to command the citizens to open their ſhops inſtantly, and, if they failed to comply, to break them open by force. In conſequence of this order, the tumult was appeaſed. Sundry rioters were committed to jail; and a report upon this affair was laid before his Majeſty, which, it is to be regretted, is not inſerted in the records of the privy council. The King, by a letter of his to the privy council, appears to have been much diſpleaſed. He complains, that the Magiſtrates, by keeping their own ſhops ſhut, provoked the people to uproar: That afterwards they were very remiſs in appeaſing the tumult: That, however, he was willing to conſider this riot as the inconſiderate ſally of inſolent young men, and, therefore, his Majeſty inclined, *that the priſoners ſhould not be put to death, but be ſubjected to ſuch arbitrary puniſhment as the privy council ſhould think fit.* Several of the rioters were accordingly baniſhed for life. It is remarkable, that no traces of this affair are to be found in the town-council regiſter.

† Rec. of privy council, p. 447. 583. ‡ Wodow's hiſt. v. 1. p. 154.

‖ Rec. of privy council, No 1. p. 209. § Wodrow's hiſt. v. 1. p. 121. and appendix to ditto, No 33.

** Records of privy council, No 1. p. 425. 439. 442. 447. Nov. 1664, and Jan. 1665.

And arbitrary impriſonment was carried to ſuch a height, that there 1666.
are inſtances of gentlemen of family and fortune having, upon ſuſpicion of * being diſaffected, been detained in priſon for a period of five years.

But none of theſe acts of tyranny ſo greatly exaſperated the people, as the ſtrict prohibition of every meeting for the purpoſe of religious worſhip, except ſuch as were by law eſtabliſhed. Theſe meetings were denominated *conventicles;* and all who aſſiſted at them were made liable to fines †, impriſonment, and corporal puniſhment, at the diſcretion of the privy council. Military force was let looſe among the people, for the execution of this tyrannical law, and its command entruſted to officers who had augmented the natural ferocity of their diſpoſitions under the barbarous deſpotiſm of Ruſſia.

Irritated by ſuch manifold oppreſſion, the weſtern ſhires, which had been the principal ſufferers, roſe in arms. They ſurpriſed and diſarmed a ſmall party of the King's forces at Dumfries; and thence they marched towards Edinburgh. Still, however, they profeſſed ſubmiſſion to the King, only requiring the re-eſtabliſhment of the preſbyterian religion, and of their former miniſters. The privy council were extremely alert in their endeavours to ſuppreſs this inſurrection. General Dalzell, with a body of forces, was ſent out to oppoſe the inſurgents. The city of Edinburgh was put in a poſture of defence, the gates ſhut, and fortified with cannon from the caſtle. No perſon was allowed to leave the city without a paſs. The gentlemen of the neighbouring ſhires were called to its defence. The college of juſtice formed themſelves into a company for the ſupport of government, and were ſupplied with arms by the Lord Lyon; and all the gentlemen in Edinburgh who had horſes, were ordered to aſſemble themſelves in the Meal-market, there to be in readineſs to march, under the Marquis of Montroſe, to aſſiſt the general.

The

* Rec. of privy council, No 2. p. 15. † Wodrow's hiſt. v. 1. p. 227.; and appendix, No 46.; Hume's hiſt. v. 7. p. 452.

1666. The inſurgents were ſpeedily quelled. Their number had never much exceeded two thouſand; and, on the night preceding * their defeat, in the courſe of a very fatiguing march, without proviſions, through bad roads, in a night to be reckoned ſevere, even in that Nov. 28. rigorous ſeaſon, they loſt half their army. Upon the approach of the King's forces, the inſurgents, with prayers and ſinging of pſalms, prepared themſelves for battle. They ſuſtained the firſt charge very reſolutely; but falling into confuſion, they were ſoon totally routed. About fifty were killed, and a hundred and thirty taken priſoners. The darkneſs of the night, and even pity in the King's troops, ſuffered the reſt to eſcape.

The buſineſs of the public executioner was ſtill to follow. About forty people died on the ſcaffold. Some of them were previouſly tortured, and their limbs were ſtuck up in different quarters of the kingdom. Theſe bloody executions produced a very different effect from that which was intended. They had been principally † abetted by the Archbiſhop of St Andrews, which brought an additional odium on the whole prelatical party. They excited pity towards the ſufferers, and horror at the authors of their calamities. The reſolution with which theſe unhappy people met their fate, begat, in the ſpectators, a reſpect to the cauſe for which they ſuffered: A cauſe which inſpired in its adherents a confidence not to be ſhaken by death itſelf. Some of the ſufferers were tranſported to a degree of enthuſiaſm which elevated them beyond every power of external circumſtance: 'Farewell,' (ſays one of them in his dying moments), 'Farewell ſun, moon, and ſtars; farewell world and time; farewell 'weak and frail body; welcome eternity; welcome ſaints and angels; welcome Saviour of the world; and welcome God, the 'judge of all.'

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* Records of privy council, No 1. p. 618. 620. 623. 624.; Wodrow's hiſt. v. 1. from p. 241. to p. 250. † Ibid. No. 1. p. 630. 637.; Wodrow's hiſt. v. 1. lib. 2. cap. 1. ſect. 3.; Hume's hiſt. v. 7. p. 454.

A circumſtance ſo favourable to government as a ſuppreſſed rebellion, could not, when we reflect on the uſe they made of their victory, and the general averſion of the people, eſtabliſh the nation in ſolid peace. Charles himſelf was averſe from the late rigorous proſecutions. His good humour inclined him to humane meaſures; but his indolence prevented him from checking deciſively the auſtere conduct of his miniſtry: And, it is ſaid, the Archbiſhop of St Andrews dared to keep up a letter from * the King to the privy council, ſtopping further executions, till ſuch time as ſome of the unhappy perſons, under ſentence of death, had fallen a ſacrifice to his vengeance. The judicial ſentences, in all their ſeverity, were but a part of the ſufferings of the people. Soldiers, commanded by officers of the moſt brutal temper, were quartered in † the diſaffected counties. Theſe officers exerciſed groſs rapaciouſneſs and cruelty. When Charles received information of theſe proceedings, he ordered the privy council to make inquiry concerning them; in conſequence of which, ſome officers were made to refund their oppreſſive exactions, were broke, and baniſhed the kingdom. 1666.

The good inclinations of the King, joined to the appearance of ſome ſparks of humanity in the breaſts of his miniſters, perhaps alſo a reflection upon the impoſſibility to extirpate the preſbyterian religion, which, like the hydra, roſe with freſh vigour from blood and oppreſſion, induced the court to purſue more gentle meaſures. In A. D. 1662, a ſtatute had been paſſed, obliging every perſon in office to ſubſcribe a declaration, which teſtified the declarer's adherence to the unlimited principles of paſſive obedience and non-reſiſtence, and contained a renunciation of the *ſolemn league and covenant*. As the people were extremely averſe from a declaration ſo repugnant to their real ſentiments, another teſt was ſubſtituted in its place. Still it muſt be confeſſed, that the change was not much for the better. Sir George Mackenzie, afterwards King's advocate, in all the meanneſs of a profeſſional lawyer, happened to conceive a moſt abſurd analogy, between 1667.

* Wodrow's hiſt. v. 1. p. 255. † Ibid. p. 264. 282. 285.

1667. between the ſituation of one fellow-ſubject, dreading harm from another, and the King jealous of his people. He reflected, that, by the law of Scotland, any man who ſhall go before a magiſtrate, and make oath, that he believes himſelf * to be in danger from another perſon, may get out againſt that perſon, a *writ of lawburrows* †, by which the perſon is obliged to find ſurety, under a certain penalty, that he will do no harm to the complainer nor his effects. This idea, Mackenzie extended to the crown, and made the King take out a ſort of general *writ of lawburrows* againſt his ſubjects. To this purpoſe a *bond of peace* was framed, by which the ſubſcriber was bound, under heavy penalties, not only for himſelf, but for his whole ſervants, and even tenants, that they ſhould not infringe the public peace. The people perceived, that, in this act, the miniſtry expoſed the jealouſy of the Sovereign, and proſtituted his dignity. They obſerved the ridicule of giving ſanction to eſtabliſhed law by private contract, and the iniquity of making one man anſwerable for another's conduct; for theſe reaſons, many refuſed to ſubſcribe the bond.

To reconcile the people to epiſcopacy, a ſcheme of *comprehenſion* was propoſed. By this propoſal, it was intended, that the authority of the biſhops ſhould be diminiſhed, and the moſt obnoxious parts of epiſcopal ‡ church-government aboliſhed; but the preſbyterian, puffed up with his own ideal ſanctity, rejected *communion* with a different ſect. The government next adopted a meaſure, which ſhould undoubtedly have given ſatisfaction to thoſe of both perſuaſions. In the vacant churches, they admitted ſuch of the expelled preachers as had conducted themſelves with ſome degree of moderation, beſtowed on them a ſmall ſalary of about twenty guineas a year, requiring of them no ſubmiſſion to the eſtabliſhed religion, and permitting them to exerciſe the preſbyterian form of worſhip in

* Wodrow's hiſt. v. 1. p. 278. 279.

† It is derived from an obſolete word *borrow* or *borgh*, ſignifying the finding of ſurety. hiſt. lib. 2. cap. 4. ſect. 2.

‡ Hume's hiſt. v. 8. p. 46. 47. Wodrow's

in their congregations. At the ſame time, a ſcanty livliehood was provided for ſuch of the expelled preachers as could not find vacant churches for their admiſſion, upon condition, that, in the mean time, they ſhould refrain from preaching in publick. 1667.

Theſe *indulgences* were, at firſt, accepted very graciouſly; but there are never wanting people who find an intereſt in embroiling the affairs of a ſtate. The moſt extravagant of the preſbyterian clergy, who had been baniſhed for their outrages, from their places of retreat in Holland, found means to diſperſe, in this country, a number of inflammatory publications, which enraged the people againſt an *indulgence* that had hitherto afforded great ſatisfaction. Indeed, the populace, of themſelves, did not reliſh the diſcourſes of their reinſtated preachers, like their former harangues. They lamented the inſipidity of ſcriptural doctrine, recommending a Chriſtian life and converſation, ſubſtituted in place of violent declamations, abuſing their governours, deſcanting on matters of ſtate, and inflaming and gratifying the reſentments of a rabble: A rabble, who obſerved of their reinſtated paſtors, '*that the ſalt of their doctrine had loſt its ſa-*'*vour.*' As the government thought, that all pretences for holding conventicles were removed by the late *indulgence*, theſe ſeditious meetings were prohibited under very high penalties, the * hearers being ſubjected to pecuniary mulcts; but the preacher (if in *field-conventicles*) to death itſelf. The magiſtrates of royal boroughs were, at the ſame time, compelled to give bond, that no conventicles ſhould be held within their juriſdiction, and the penalties in the bonds were rigorouſly enacted, eſpecially from the magiſtrates of Edinburgh. 1668.

As theſe penalties were generally deemed rigorous beyond meaſure, when applied to thoſe ſtatutory crimes, people were extremely unwilling to give teſtimony againſt offenders. To ſupply this defect, the government fell upon an expedient, which muſt inſpire an everlaſting

* Charles II. parl. 2. ſeſſ. 2. chap. 2. and 5. Records of privy council, No. 2. p. 197. No. 3. p. 102. 242.

1668. abhorrence of its memory. It was enacted, not that a perſon ſummoned before a competent judge ſhould be obliged to give evidence againſt any certain perſon, upon ſpecial matters, but that every perſon who ſhould be cited before any one having authority from the King, ſhould be obliged to accuſe, upon oath, all perſons whatever, who had, in any ſhape, offended in ſtate-matters, or againſt the laws reſpecting conventicles, or harbouring or converſing with perſons outlawed; and that under a diſcretionary penalty of fining, impriſonment, or baniſhment. Thus compelling people to the odious taſk of informers, and that, without exception, againſt their neareſt and deareſt friends.

The late *indulgence* had wrought no ſolid nor laſting influence upon the people, and the attempt of a deſperate fanatick heightened the diſpleaſure of the court againſt their ſtubborn diſpoſitions. In the late inſurrection, the inſurgents had betrayed more violent animoſity againſt * the eſtabliſhed epiſcopal clergy, than any other claſs of people. Indeed, it became a matter of principle with the preſbyterians, to harraſs the epiſcopal clergy, as opportunities of inſult and injury occurred. James Sharp, Archbiſhop of St Andrews, was peculiarly obnoxious to that party, both becauſe they conſidered him as an apoſtate, and becauſe, like moſt converts, he had become the rigid perſecutor of the ſect which he deſerted. One afternoon, as his Grace ſat in his coach, at the head of Blackfriars-wynd, and as the Biſhop of Orkney was ſtepping into it, one Mitchell, a preſbyterian preacher, aimed a piſtol at the Archbiſhop; but the Biſhop of Orkney had the ill fortune to receive the ſhot. He was wounded in † the groin, and his arm broke by five balls. The villain fled; the gates of the city were ſhut; none was allowed to paſs without leave from a magiſtrate; a ſtrict ſearch was made, in which a hundred ſoldiers aſſiſted; yet, by changing cloaths, he eſcaped. At a ſucceeding period, however, he fell a victim to the reſentment and ſecurity of the primate. It muſt be confeſſed, that his atrocious and reiterated

* Rec. of privy council, No. 1. p. 685. No. 2. p. 337. † Ibid No. 2. p. 95.

reiterated aſſaſſinations, deſerved the ſevereſt puniſhment; yet his deſtruction was accompliſhed through a ſcene of perfidiouſneſs, which leaves the deepeſt ſtain on the Scottiſh annals, branding the miniſters of Charles with the public violation of the moſt eſſential principles of morality, and the moſt ſolemn rites of religion. 1668.

At the diſtance of ſix years after Mitchell's firſt attempt, the Primate recognized, in one who eyed him narrowly, the features of the perſon who fled from his coach, after diſcharging the ſhot which wounded the Biſhop of Orkney. He ordered him to be ſeized, and a piſtol was found on him charged with three balls. After ſuch pregnant grounds of ſuſpicion, he was examined by the privy council, both reſpecting the late inſurrection at Pentland, and the ſhooting at the Archbiſhop. He voluntarily confeſſed his acceſſion to the former, but denied the latter. *Upon aſſurance, however, of his life, being made him by the privy council*, he confeſſed the aſſaſſination alſo. He was afterwards required to adhere to his confeſſion before the court of * juſticiary; and was certified, at the ſame time, that, if he did not comply, he ſhould loſe the benefit of the aſſurance † made him. Being accordingly brought before that court, interrogated, and refuſing to confeſs, he was put to the torture, and, under the blows of the executioner, had reſolution to perſiſt in his denial, till he fainted through extremity of pain. He was ſent to the Baſs, a ſteep and narrow rock ſurrounded by the ſea, at that time uſed as a ſtate-priſon for the miſerable covenanters. There he remained for two years, till the miniſtry, willing to ſtrike terror afreſh into the breaſts of the covenanters, produced him again. Sir George Mackenzie, Lord Advocate, who aſſiſted at the privy council when Mitchell confeſſed, *and obtained aſſurance of his life*, indicted him capitally for aſſaſſinating an Archbiſhop and privy counſellor. No proof of his guilt could be eſtabliſhed, but his former confeſſion.

* The ſupreme criminal court in Scotland. † Records of privy council, No 3. p. 63. 313.; Records of juſticiary, 25th March 1674, 24th Jan. 1676, 9th Jan. 1678; Wodrow's hiſt. v. 1. p. 375. 513.

1668. confeſſion. This he judicially denied. But it was proven againſt him by the Dukes of Lauderdale, and Rothes, Lord Commiſſioner, and Lord Chancellor; by the Archbiſhop of St Andrews, and Maitland the Lord Treaſurer-depute; all of whom expreſsly ſwore, *that no aſſurance of life had been given him;* although the records of the privy council remain to this hour the inconteſtible monument of their perjury. The unhappy priſoner produced, in his defence, a copy of the act of privy council, which contained *the aſſurance of his life;* and required, that the original might be exhibited. This the judges refuſed, on pretence that the formalities of the court did not admit of a requiſition urged ſo late; that the records of privy council, as containing the King's ſecrets, ought not to be divulged; and that the fact was already ſufficiently eſtabliſhed by the teſtimony of theſe honourable privy counſellors. After ſuch procedure, it is needleſs to add, that he was condemned and executed.

In proportion as the covenanters betrayed their *diſaffection*, new methods were to be deviſed for enlarging the power of the crown.
1669. New rigours were to be exerciſed over the people. Two ſtatutes were paſſed, of the moſt important conſequence to civil and religious liberty. By the one, it was declared, that the ſettling of every thing which reſpected the external government of the church, was a branch of the royal prerogative: That, whatever related to eccleſiaſtical perſons and affairs, was to be regulated by ſuch directions as the King ſhould ſend to his privy council: And that theſe being publiſhed by them, ſhould have the force of laws. Nothing could be more ſervile, nay, even profligate, in a parliament, than, when a great body of the people were ſuch zealous ſticklers about a particular mode of religion, to veſt the King with a power of introducing any religion he pleaſed; for, by this ſtatute, he might legally have re-eſtabliſhed the catholic, had he thought *proper*, and probably would have done it, had he thought it *practicable**. The other ſtatute ſupplied him with a great military force. Charles, when the army

* Charles II. parl. 2. ſeſſ. 1. c. 1. and 2

army was diſbanded, had, by his own power, eſtabliſhed a militia. 1669.
This was now ſettled by parliament, at the number of twenty-two thouſand men, who were to be conſtantly armed, and regularly diſciplined. It was further provided, that this force ſhould be held in readineſs 'to march to any part of his Majeſty's dominions of 'Scotland, England, or Ireland, for any ſervice wherein his Ma-'jeſty's honour, authority, or greatneſs, might be concerned.' Charles had alſo the advantage of diſguiſing his own orders, under the name of the privy council, whoſe mandates the militia, by this act, were bound to obey. By theſe ſtatutes, the parliament renounced the ſafe-guards of their own conſtitution, and ſhowed, that they had not the ſmalleſt objection to aſſiſt in overturning that of England.

Beſides thoſe ample augmentations of power, which were thus veſted legally in the King, his miniſters made daily invaſions upon the eſtaliſhed rights of the people. Freedom of election in moſt of the royal boroughs was overturned. Upon pretences frivolous or falſe, the King prohibited, for a ſeaſon, any election of Magiſtrates 1674.
to be made * in Edinburgh; ordering the ſame Magiſtrates to officiate for a year longer than they were entitled. And the very next year he iſſued a letter, turning out twelve members of the town-council from their offices, and authoriſing the remaining members to proceed in filling up, and electing the council anew.

By the law of Scotland, eſpecially according to its more antient practice, a conveyance of lands by royal charter did not entitle the perſon in whoſe favour the deed was conceived, to erect a *fortalice* † upon his lands, unleſs that privilege was expreſsly granted, it being deemed a right inherent in the crown. In conſequence of this ‡ idea, the crown, by diſpoſing of a *fortalice*, or privilege to erect one, did not deem itſelf to be ſo entirely diveſted of its right, but that, in times of public commotion, it might be reſumed, and garriſons placed

* Records of privy council, No 3. p. 168. 293. † Fortified houſe, houſe of ſtrength. ‡ Craig, Jus feudale, lib. 2. dieg. 8. ſect. 3.

1674. placed in the *fortalice* by the crown, a right which is indirectly acknowledged by the declaration * of eſtates at the revolution; and, if the poſſeſſor with-held it, it was deemed an act of treaſon. Accordingly, the firſt breach of allegiance which plunged the Earl of Huntly into ruin, was his refuſal of admittance to Queen Mary into the caſtle of Inverneſs, a refuſal for which the keeper of the fortreſs, upon its reduction, was inſtantly hanged. Charles made a rigorous uſe of this privilege. On pretence that the weſtern counties, from their diſaffection, and illegal meetings for public worſhip, were in a ſtate of war, he diſpoſſeſſed twelve gentlemen of their houſes, which he converted into garriſons, for the ſuppreſſion of conventicles. He alſo, upon a difference happening between the Lords † of Seſſion, and a majority ‡ of the faculty of advocates, baniſhed the

* Acts of eſtates of Scotland, c. 13. † Records of privy council, No 3. p. 171. 216. 245. 249.

‡ Mr Hume, whoſe writings are an honour to the language and the age, has not, in this matter, attained his uſual accuracy of information. He obſerves, that 'all the lawyers * were put from the bar, nay baniſhed by the King's order twelve miles from Edinburgh; and, by that means, the whole juſtice of the kingdom was ſuſpended for a year.' This was by no means the caſe. About fifty of them, indeed, were ſuſpended from their office, either for not making the ſubmiſſion required, or for *having perverſely withdrawn their attendance on the court*. Still, however, many lawyers remained, *and, in fact, the ordinary* † *courſe of juſtice was not ſuſpended, but proceeded as uſual.* We are by no means of opinion, that this edict, baniſhing the lawyers, was (all things conſidered) a very violent ſtretch, or rigorous exertion of power. That it would have been inconſiſtent with the *defined* liberties of the preſent conſtitution, is undeniable. Perhaps it may be argued, that, making allowance for thoſe times, and acknowledging the lawyers to have been in the wrong, ſtill ſuſpenſion from office ſufficiently chaſtiſed their obſtinacy in error, and that baniſhment from the capital was groſs oppreſſion. But, it muſt be obſerved, that, without baniſhment to a diſtance from the courts of law, there was no poſſibility of preventing the lawyers from evading the ſuſpenſion, in many branches of their profeſſion.

The ſubject of diſpute between the judges and the advocates was, Whether any appeal lay from the court of ſeſſion to the parliament? It is obvious, that, in this conteſt between the bench and the bar, law, and the practice of the court, independent of expediency, fell

* Hume's hiſt. v. 8. p. 52. † Stair's deciſions, v. 2. A. D. 1675, 1676; Records of privy council, *ut in textu.*

the latter twelve miles from Edinburgh, till they ſhould acknow- 1675.
ledge the unlimited ſupremacy of that court.

Theſe grievances were far exceeded by the ſeverities which followed. Notwithſtanding the rigorous laws which had been made againſt ſeparation from the eſtabliſhed religion, conventicles, eſpecially in the weſtern ſhires, ſtill multiplied. A bond was framed and ſent to theſe counties, which all gentlemen of landed property 1678.
were required to ſubſcribe. By this deed, the ſubſcribers became bound *for the whole perſons reſiding upon their eſtates*, that none of them ſhould be preſent at conventicles, nor harbour, ſupply, nor hold communication with any forfeited perſons or vagrant preachers. And further, that ſubſcribers ſhould uſe their utmoſt endeavours to bring the contraveners to juſtice; and all this under high penalties. Thoſe who engaged to ſubſcribe theſe bonds, ſaw no other ſecurity but in turning out thoſe tenants whoſe religious principles they ſuſpected, thereby depopulating their own eſtates; and, as for theſe miſerable tenants, new laws were framed for hunting

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fell alone to be conſidered. Both theſe appear to us to have been clearly favourable to the independent juriſdiction of the court. In the original eſtabliſhment of the court of ſeſſion, all appeals from its decrees were prohibited by expreſs ſtatute. When it was * modelled anew by James V. its ſentences were declared to have the ſame ſtrength and effect as thoſe of the former Lords of ſeſſion, in all time bygone. And in practice, appeals from the court of ſeſſion to the parliament had been rarely attempted, and uniformly diſallowed. It is obvious, that, if a court ſhall be treated with contempt by any, but more eſpecially by its own members, that theſe ſhould be highly cenſured; and no greater inſtance of contempt can well be figured, than obſtinately to diſown the eſtabliſhed authority of the court. Thence it appears to us, that the court was under a neceſſity of vindicating its independent juriſdiction; and, further, that the King, as the fountain of juſtice, might, eſpecially in thoſe times, when the powers and privileges of the different branches of the legiſlature were not accurately defined, ſupport, by his edicts, the honour of the judges, whoſe extenſive juriſdiction was ratified by parliament. At the ſame time, we muſt applaud that firmneſs of mind which the advocates, on this occaſion, diſplayed. Suppoſing them to have been erroneous, they undoubtedly meant well; and their opinion was not to be intimidated by the frowns of the judges, nor the indignation of the Sovereign. It will be well with that learned and reſpectable body while they imitate the independent ſpirit of their predeceſſors.

* James I. parl. 3. c. 65.; James II. parl. 14. c. 62.; James V. parl. 5. c. 39.

1678. them off the face of the earth; ſo that *literally* they might not have a place where to lay their heads.

As it was foreſeen that few would reliſh this bond, to enforce the ſubſcription, an armed crew was let looſe againſt this unhappy diſtrict. In conſequence of an agreement made with the Highland chieftains, theſe called out their clans to the number of 8000. This undiſciplined and diſorderly crew, iſſued from the moſt uncivilized parts of the north, and, in conjunction with the militia of Angus, and ſome regular forces, ſpread themſelves over the weſtern counties. The bond was tendered to every one, and whoever refuſed it, was ſure to have ſo many of this diſorderly rabble ſet to live at free quarters in his houſe. It is eaſy to conceive the violence and rapine * which would be exerciſed by a ſet of people, who, at no time, entertained very refined ideas of property; but who, when ſent to chaſtiſe the obſtinacy of men, whom they were taught to conſider as the enemies of their Prince and their religion, would think that they did a ſervice to the King, by gratifying their own rapacity in every variety of extortion. They made a prey of whatever came within the reach of their ravenous hands; and, if they ſuſpected any concealment, compelled, by torture, the unfortunate objects of their ſuſpicion to diſcover their hidden wealth. As the Highlanders themſelves were extremely indigent, not only the more valuable effects, but alſo the moſt common houſehold utenſils, or articles of cloathing, were matters worthy of acquiſition; ſo that the extent of their ſpoils was meaſured by nothing but what they were able to carry. The voice of the nation roſe againſt thoſe ſanctified robbers. The Higlanders were recalled; and the weſt was at once ſtripped of her effects, and liberated from her oppreſſors.

Exaſperated by ſuch manifold oppreſſion, and miſled by the furious zeal of their preachers, the people adopted principles incompatible with all government. Although field-conventicles were puniſhed

* Wodrow's hiſt. v. 1. lib. 2. c. 13. ſect. 1. and 2.

niſhed with ſtill greater ſeverity than houſe ones; yet, as retirement into an obſcure valley tended more to their concealment than aſſembling in a ſuſpicious houſe, field-conventicles daily multiplied; and, beſides, being enticed to an attendance on thoſe lawleſs aſſemblies, by the ſatisfaction which thoſe fanatics enjoyed, in ſo barbarous a ſtile of devotion, a regard to mutual ſafety induced them to aſſemble in ſuch multitudes as might be able to repel the aſſaults of thoſe parties of the King's forces, which continually ranged the country to harraſs them; and the ſame principle led them to aſſemble in arms. Thus were they unwarily engaged in a ſpecies of rebellion. 1679.

The ſeditious preachers took every occaſion to provoke the people to throw off their allegiance. Every inſtance of compliance with, every act of ſubmiſſion to the eſtabliſhed government, was repreſented as ſinful. The paying of ceſs, or any ſpecies of ſubſidy, was deemed illegal and ſinful *; nay, was termed '*a conſummate and 'crimſon wickedneſs, the cry whereof reached heaven*;' and, to be guilty of celebrating the birth-day, was nothing leſs than '*blaſphe-'my againſt the Spirit of God.*'

Beſides inculcating reſiſtance to the eſtabliſhed government, they called to their aid the doctrine of aſſaſſination †, which they termed '*the execution of righteous judgment by private men*;' a doctrine which afterwards, in the moſt ſolemn manner, and in the utmoſt latitude, they adopted and avowed. The firſt perſon, of any note, who fell a ſacrifice to their bigotry and reſentment, was the Archbiſhop of St Andrews; yet his murder appears not to have been premeditated. One Carmichael, a decayed merchant of Edinburgh, had been made chamberlain to the primate, and ſheriff-depute of Fife. This man had rendered himſelf extremely obnoxious to the preſbyterians, by his rigorous aſſiduity in harraſſing thoſe who attended conventicles. *Hackſton of Rathillet*, a gentleman of Fifeſhire, with eight farmers of that county, armed with ſwords, carabines,

* Wodrow's hiſt. v. 2. p. 19. Hind let looſe, p. 99. 121. 701. † See *apologetical declaration* publiſhed in appendix to Wodrow's hiſt. v. 2. append. No. 99. and *Hind let looſe*, p. 124. 633.

1679. and piſtols, went in ſearch of this man, with the purpoſe of aſſaſ-
ſinating him. Carmichael, however, being upon his guard,
May 3. kept out of their way; and theſe holy ruffians were about
rate, when an unlucky boy coming up, told them, 'that the Arch-
'biſhop's coach was * at Ceres; that his Grace was then ſmoaking
'a pipe with the parſon of the pariſh; and, that he would paſs by
'in his coach in a very ſhort time, in his way to St Andrews.'
Theſe fanatics, in the crazineſs of their imagination, interpreted this circumſtance into an interpoſition of Providence, pointing out, and giving up their capital enemy to deſtruction. They exclaimed with gloomy rapture, '*He is delivered into our hands*,' and inſtantly reſolved upon his death. Agreeably to the boy's intelligence, they obſerved the coach paſſing at ſome diſtance; but, when they perceived that his Grace was not attended with his uſual retinue, they were confirmed in the idea of the interpoſition of Providence, and determined in their reſolution not to deſpiſe the ſuggeſtions of heaven. They immediately gave chace. The Archbiſhop ſeeing himſelf purſued by armed men, ordered the coachman to drive with full ſpeed; and, as it was gaining ground of the aſſaſſins, they diſcharged their pieces at the coach in which the Biſhop and his daughter ſat; neither of them, however, were hurt. But one of the ruffians who happened to be well mounted, getting before the coach, ſtruck the poſtilion to the ground with his broad-ſword, and cut the traces of the coach. Meanwhile, the other ruffians coming up, poured their ſhot upon the Biſhop, tore him from the arms of his daughter, dragging him from the coach, and, piercing him with redoubled wounds, he expired.

From breaches of the law, the fanatical party proceeded to renounce, with much formality, ſubmiſſion to the laws themſelves. They choſe the anniverſary of the reſtoration as the moſt proper day
May 29. for offering this inſult to government. About eighty of theſe people aſſembled in arms at Rutherglen; and, after extinguiſhing † the bone-

* Wodrow's Hiſt. v. 2. lib. 3. c. 1. ſect. 3. and Appen. No. 10. † Ibid. v. 2. p. 44.

boneſires which had been lighted for ſolemnization of the birth-day, they burned ſeveral acts of parliament, and acts of privy council, chiefly thoſe eſtabliſhing prelacy; not forgetting, however, to expreſs the ſame mark of their contempt and indignation for the act of *indulgence*, admitting miniſters of their own perſuaſion into vacant churches. Graham of Claverhouſe, better known by the title of *Lord Dundee*, afterwards beſtowed on him for his heroiſm and loyalty, was deſpatched by the privy council to ſeize on or diſperſe the party, as well as to diſſipate field-conventicles. Upon coming up with the inſurgents, who were now increaſed to a great and diſorderly rabble, to whom a field-preacher was haranguing, Graham opened his commiſſion *. He found himſelf inſtructed, that, in caſe he met with reſiſtance, he ſhould fight the enemy, be their number ever ſo great. He attacked them accordingly; but, the ſuperiority of their numbers being immenſe, he was repulſed with conſiderable loſs, himſelf having had his horſe ſhot under him. Graham retreated to Glaſgow; and, expecting an attack from the rebels, he barricaded the ſtreets. Next day he was attacked accordingly; but the aſſailants were repulſed; yet, on the ſucceeding day, he abandoned the city, and retired to Edinburgh. 1679. June 1.

Fluſhed with ſucceſs, the number of inſurgents daily increaſed. The privy council diſplayed great alacrity and judgment in the meaſures which they purſued for ſuppreſſing the rebellion. The militia, in the well-affected counties, were called out, as alſo the landed † gentlemen, whoſe attendance on horſeback, with as many followers as they could muſter, was required. The trained-bands of the city of Edinburgh joined the royal army; and an expreſs was deſpatched to London for a body of Engliſh forces. The paſſages on the Forth were ſecured; military ſtores were ſeized for the uſe of government; and great diligence was exerted in ſupplying and fortifying Edinburgh and Stirling caſtles. The Duke of Lauderdale co-

* Creichton's Memoirs in Swift's works, v 13. p. 239. et ſeq. † Wodrow, v. 2. lib. 3. c. 2. ſect. 4-5.

1679. co-operated zealouſly with the Scottiſh privy council. But, there is ground to ſuſpect, that he was embarraſſed by Shaftesbury and others of the miniſtry, who afterwards embraced a more fitting opportunity for becoming profeſſed traitors. Be that as it may, General Dalzell, commander in chief of the Scottiſh forces, was ſuperſeded, a perſon, who, whatever otherwiſe might be his faults, was an officer of approved conduct, fidelity, and courage; and the Duke of Monmouth, who was ſent to Scotland with four troops of horſe, was inveſted with the ſupreme command.

Upon the 19th of June the Duke joined the army; and, on the 22d, they came up with the rebels, who were about three times their number, and were drawn up on the oppoſite banks of the Clyde. The general officers were all of opinion, that the army ſhould march directly through the river, which was there fordable,
June 22. and attack the enemy. But the Duke commanded that the army ſhould paſs by Bothwel Bridge, which lay about a mile to the right, was ſtrongly barricaded and guarded by three thouſand of the rebels; and, for this purpoſe*, a troop of dragoons, with eighty muſqueteers, and four field-pieces were deſpatched to beat off the party from the bridge. As the Duke approached, the rebel army beat a parley, and ſent a Scots Laird, accompanied by a miniſter, to expreſs their demands, which were, 'that they ſhould be allowed the free exerciſe 'of their religion, and that a new parliament and general aſſembly, 'unfettered by any oaths, ſhould be called for ſettling the affairs both 'of church and ſtate.' The Duke received them with civility; but told them, that he could liſten to no terms till they ſhould lay down their arms; upon which the conference broke up. During the parley the Duke had, unobſerved by the rebels, planted four field-pieces oppoſite to the bridge, which now began to play. Some hundreds of the rebels were killed, and the reſt, being ill ſupplied with ammunition, retreated to the main body of the army. In removing the rubbiſh, paſſing the bridge, and forming upon the oppoſite

* Creichton, Mem. from p. 245. to p. 250.

oppoſite banks, the royal army were taken up a ſpace of five hours. 1679.
The artillery were carried in the center of the foot-guards. At the firſt diſcharge, the enemy's horſe fell into confuſion, inſtantly a total route enſued *; and about ſeven hundred were killed in the purſuit. Had Dalzell commanded in that action, the defeat would have been infinitely more bloody; for, beſides the native ſeverity of his temper, he was inſpired with a moſt inveterate antipathy at the covenanters. A circumſtance, indeed, is reported of theſe people, which ſhews they were by no means objects of mercy. It is ſaid, that, in the midſt of their camp, there was a large gallows, which had been erected by the rebels in their confidence of victory, and provided with a great quantity of new ropes for *executing judgment* upon their enemies.

The priſoners were brought to Edinburgh. Two of the ſeditious preachers were hanged. Such of the priſoners as would engage to live peaceably under the government were diſmiſſed. Thoſe who were ſo obſtinate and perverſe as to refuſe this mark of compliance, to the number of about † two hundred and fifty, were baniſhed, but unfortunately periſhed by ſhipwreck in the voyage. As to the reſt, an act of indemnity was pronounced, and Lauderdale embraced the opportunity to ſcreen himſelf, by extending the pardon to all thoſe who had adviſed any thing contrary to law, or been guilty of malverſation in public office.

To remove from the preſbyterians future occaſions of offence, they were indulged in the liberty of attending houſe-conventicles ‡, for the purpoſe of hearing their own miniſters; an *indulgence* which will appear more gracious by compariſon, when we reflect that, upon extinction of the rebellion 1745, non-juring clergymen, who performed any acts of worſhip to thoſe of their perſuaſion, ſuffered a rigorous

* Upon this occaſion the city of Edinburgh gave the Duke of Monmouth the compliment of the freedom of the city in a golden box; Council reg. v. 29. p. 154.

† Wodrow, v. 2. lib. 3. c. 3. ſect. 2. 3. Appendix, No. 32. ‡ Ibid. v. 2. Appendix, No. 36.

1679. rigorous proſecution, impriſonment, and baniſhment *; and that the hearers alſo were ſubjected to penalties.

Theſe *indulgences*, however, wrought no effect on that perverſe and ſtubborn generation. Indeed, it does not appear that *indulgence* was what they wanted. To extirpate, or in the enterpriſe be extirpated, ſeems to be the object which they had in view. This being their principle, it was immaterial to them whether the government proceeded with lenity or rigour. Accordingly, within a twelvemonth from the extinction of the former rebellion, a declaration was drawn up by Cargill and Cameron, two furious fanatical preachers, and publiſhed at Sanquhar by a ſmall body of armed men.

1680. In this declaration, they renounced their allegiance to the King, and ſolemnly declared war againſt him as a tyrant and uſurper. Cargill ſhortly afterwards †, before a numerous field-conventicle to whom he was preaching, excommunicated the King, the Duke of York, and chief officers of ſtate, beginning with theſe words ‡: ‘ *I being* ‘ *a miniſter of Jeſus Chriſt, and having authority and power from him,* ‘ *do, in his name, and by his ſpirit, excommunicate,* ‘*caſt out of the true* ‘ *church, and deliver up to Satan, Charles the Second,*’ &c. &c.

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* See Book I. chap. 6. prop. fin. † Wodrow, v. 2. lib. 3. c. 4. ſect. 4.; Hind let looſe, p. 139.

‡ When the people get a conceit of botching and reforming religion, there are no bounds to the extravagance of their reveries. At this time, a ſect, known by ** the name of *ſweet ſingers*, of whom one Gibb was the founder, ſoared to a pitch of extravagance, in which they got but few diſciples, probably owing to the inconveniency, or rather incompatibility of their doctrines with the cuſtoms of life. They gave in a paper to the privy council, of which the following is an abſtract: ‘ Yeſterday, being the twenty-ſixth ‘ day of the fifth month, it ſeemed good *to the Holy Ghoſt, and to us*, to take out of our ‘ bibles the pſalms in metre; for the book of Revelation ſays, ‘ If any man ſhall add “ unto theſe things, God ſhall add unto him the plagues which are written in this book.’ ‘ And we did burn them in our priſon-houſe, and ſweep away the aſhes. Likewiſe, in ‘ the holy ſcriptures, we renounce chapters, and verſes, and contents, becauſe it is only ‘ done by human wiſdom, and the changing of the books, after the Holy Ghoſt had pla- ‘ ced them. We being preſſed to this by the Holy Ghoſt, do renounce the *impreſſion and* ‘ *tranſlation* of both the old and new teſtament, and that for additions put to them by ‘ men, and other cauſes. Likewiſe, we renounce the catechiſms, larger and ſhorter, ‘ and

** Wodrow's hiſt. v. 2. p. 221. and appendix to ditto, No 73.

A party of cavalry were ſent out to apprehend the authors of the treaſonable declaration, who ſtill continued in arms, and whoſe numbers were now increaſed to a hundred and fifty. The regular forces, who were about half their number, came up with them at a place called *Air's-moſs*, in the neighbourhood of Air. *Hackſton of Rathillet*, who commanded the rebels, drew up his party on the edge of a moraſs, thereby providing for a ſafe retreat, as the King's forces *, being cavalry, would be embogued in the purſuit. The rebels were defeated with conſiderable ſlaughter. Cameron, the ſeditious preacher, was killed. Hackſton of Rathillet, and thirteen others, were taken priſoners. The King's party loſt only three men, and had ten wounded. The priſoners were immediately brought to Edinburgh. Hackſton was tried before the court of juſticiary for being out in the rebellion at Bothwell-bridge, and in the late engagement with the King's forces, for being concerned in the declaration at Sanquhar, and for the murder of the Archbiſhop of St Andrews. He expreſsly declined the King's authority, and that of the court † of juſticiary; was found guilty, condemned, and executed on that ſame day, and his quarters put up in the chief cities of the kingdom. Some others of the priſoners were tried and convicted. Theſe were offered their lives if they would ſay, '*God ſave the King*.' But (to uſe their own words) 'they choſe rather to 'endure all torture, and embrace death in its moſt terrible aſpect, 'than to give the tyrant and his accomplices any acknowledgment.' 1680. July 22.

X If,

'and Confeſſion of Faith, againſt which we have many cauſes. We renounce the acts of 'aſſembly, and all the covenants, and acknowledging of ſins, and engagement to duties, '*and that which they call preaching-books*. We renounce and decline all that are in authority throughout the world, and all their acts and edicts, from the tyrant *Charles Stuart*, 'to the loweſt tyrant. We renounce the names of months, as *January*, *February*, *March*, '*&c.* and of days, as *Sunday*, *Monday*, &c. *Martinmas*, *Whitſunday*, *Newyearſday*, &c. We 'renounce all the cuſtoms and faſhions of this generation, their ways of *eating*, *drinking*, '*ſleeping*,' &c. &c. &c.

* Creighton's mem. from p. 261. to p. 268. † Wodrow, v. 2. p. 142.; Hind let looſe, p. 197.

1681. If, on the one hand, the vulgar were inſpired with the moſt ungovernable fanaticiſm and frenzy, the nobility and parliament, on the other, made a total ſurrender of their liberties to the crown. An act was paſſed, declaring the divine indefeaſible hereditary right of Kings. By another, all perſons in office, eccleſiaſtical, civil, or military, were * obliged to take a *teſt*, acknowledging the King's ſupremacy, profeſſing the proteſtant religion, as contained in the Confeſſion of Faith, and binding themſelves up from ever making any change or alteration therein; renouncing the covenant, and profeſſing the doctrine of paſſive obedience. An exemption was made as to taking the teſt in favour of the royal family. This, however, was oppoſed by the Earl of Argyle, who argued, that the chief danger which could ariſe to the proteſtant religion, behoved to be from the erroneous principles of the royal family. This drew on him the indignation of the Duke of York, and ſpeedily accompliſhed his ruin.

The *teſt*, at the ſame time that it ratified the Confeſſion of Faith, eſtabliſhed doctrines directly repugnant; ſo that the whole was a maſs of abſurdity and contradiction. Many that were zealouſly attached to the crown, refuſed to take it without an explanation. Accordingly, when Argyle took it, he added an explanation, importing that he took it in ſo far as it was conſiſtent with itſelf and the proteſtant religion; and further, that he did not bind himſelf † up from making any alteration in church or ſtate that was conſiſtent with his religion and loyalty. Upon this innocent explanation, a charge was founded againſt Argyle of high treaſon, *leaſing-making* ‡, and perjury. A jury of his own rank was found infamous enough to convict, and a court to condemn him. The King ſuſpended execution of the ſentence; Argyle eſcaped; but, afterwards, upon his ſubſequent rebellion, ſuffered upon the ſame iniquitous judgment.

Courts

* Charles II. parl. 3. c. 2. and 6. † Wodrow, v. 2. lib. 3. c. 5. ſect. 7.

‡ *Leaſing making* was a crime, the creature of an act of parliament. It conſiſted in miſrepreſenting the actions of the King to any of his ſubjects, or *vice verſa*, thoſe of his ſubjects to the King. It inferred a capital puniſhment.

Courts of judicature were erected in the ſouthern and weſtern ſhires, for trying ſuch as had been guilty of harbouring or holding intercourſe * with rebels or outlaws. Any perſon who would take the teſt, got an indemnity of his former offences: But the refractory were perſecuted with much ſeverity. 1683.

Theſe oppreſſions, co-operating with their fanatical and furious diſpoſitions, led them to profeſs principles and reſolutions which would ſeem to entitle any regular government to extirpate the maintainers of ſuch pernicious doctrines †. A numerous ſociety of theſe people were in uſe to meet regularly, and keep minutes of their proceedings. They publiſhed a declaration ‡, in which they diſavowed the authority of *Charles Stuart*, (ſo they called the King), declared war againſt him, and plainly ſpoke out their reſolution to murder the Lords of Juſticiary, all officers and ſoldiers in the army or militia, all poſſeſſed of any office civil or military, all Biſhops and Curates, all who ſhould ſeize or apprehend them, and, finally, all who ſhould inform or give teſtimony againſt them in any court of juſtice. If any of theſe perſons (ſays the declaration) 'ſhould ſtretch 'forth their hands againſt us, to the ſhedding of our blood, while we 'are maintaining the cauſe and intereſt of Chriſt againſt his ene-'mies, *in the defence of our covenanted reformation.*' 1684. Nov. 8.

This threatening manifeſto excited the deeper alarm, as two ſoldiers of the life-guards, who had been active in diſcovering conventicles, were murdered within a few nights after its publication. Indictments of high treaſon were filed againſt thoſe who were concerned in iſſuing this declaration; and ſuch as, upon being interrogated, owned or refuſed to diſown the principles it contained, were deemed guilty of the ſame crime, and ſuffered accordingly. An oath, abjuring this declaration of war, and thoſe principles of aſſaſſination, was accordingly

 ordained

* Wodrow, v. 2. lib. 3. c. 7. ſect. 4. † Ibid. c. 8. ſect. 7. appendix, 99.

‡ This paper was entitled, '*The apologetical declaration and admonitory vindication of the true 'preſbyterians of the church of Scotland, eſpecially anent*, (i. e. concerning), *intelligencers and in-'formers.*' It bore this motto, '*Let King Jeſus reign, and all his enemies be ſcattered.*'

1685. ordained to be put to all perſons above ſixteen years of age, either male or female, and ſuch as refuſed it were liable to be tried and puniſhed capitally. A method ſtill more deciſive was taken in the pariſh where the ſoldiers of the life-guards were murdered, and the pariſhes adjacent. A body of forces was deſpatched to Livingſtone, who were authoriſed to call before them the inhabitants of that and the five adjacent pariſhes, and interrogate them upon the late declaration. Thoſe who owned it, or juſtified its principles, were inſtantly to be executed by martial law; they, again, who refuſed to anſwer, were immediately to be brought before a jury of fifteen men, and the ſentence pronounced againſt them, was to be followed by immediate execution.

Perſons in the meaneſt rank were impowered to put the oath abjuring the declaration. They executed the commiſſion with much aſſiduity. But the dreadful penalties appointed for recuſants in the proclamation, ceaſed to be, or at leaſt were very * ſeldom applied. Officers in the army †, nay, common ſoldiers, were ordered to go thro' Edinburgh, particularly through the Calton, a quarter of the city where none but tradeſmen of the meaneſt occupations reſided, and put the oath of abjuration. Old women were taken from their wheels, journeymen and apprentices from the forge, and teaſed with their captious queſtions. If theſe poor people took the oath of abjuration, other ſtumbling blocks were thrown in their way. It would have been aſked at them, '*If the riſing at Bothwell-bridge was* '*rebellion*; *if the killing the Archbiſhop of St Andrew's was mur-* '*der?*' and ſuch like. But, after the violent alarm, excited by the apologetical declaration, was over, thoſe who refuſed the oath, or declined to anſwer thoſe queſtions, were generally ſubjected to nothing

* The caſe of the three women, who were drowned within ſea-mark, mentioned by Hume, v. 8. p. 170. ſeems hardly to be imputable to government. They had been condemned by inferior judges, were reprieved, *ſine die*, by the court of juſticiary, and recommended to mercy by the privy council. It appears, that, by the brutality of the commanding officer in that diſtant part of the country, they were executed without orders. Wodrow, v. 2. p. 507. † Records of privy council, No 5. p. 36.; Hind let looſe, p. 195.

thing but impriſonment; and, at the death of the King, the ſeveri- 1685.
ties of the government were, for a time, much abated.

Not to interrupt our detail, we hitherto mentioned but ſlightly the rapacity of Charles's miniſters. The great ſum which was levied in fines impoſed, upon pretexts frivolous or falſe, in the courſe of one ſeſſion of parliament, has already been taken notice of. It was even ſuſpected, that the rigours of adminiſtration were heightened, on purpoſe to provoke the covenanters to rebellion, that the miniſtry might be enriched with the forfeitures. Thoſe landed-gentlemen, who failed to obey the proclamation for joining the King's forces at Bothwell-bridge, were ſubjected to rigorous fines. The penalties impoſed, upon attending conventicles, or hearing unlicenſed chaplains, were ſtrictly levied, and in ſuch enormous ſums, that there is an inſtance of a gentleman, on account of his having kept an unlicenſed chaplain, and of his lady having heard an expelled preacher, being fined upwards of three thouſand five hundred pounds Sterling. The circumſtances of the caſe* were, at the ſame time, very favourable; for, the parties who were not condemned upon evidence, but upon their own acknowledgment, qualified their confeſſion, by declaring that it was not from diſloyalty that they kept the chaplain, but becauſe the lady was ſo valetudinary that ſhe could not attend the church.

Lauderdale's extortions had extended to a pitch of infamy, that equally deprived him of inclination and capability to conceal them. The convention of royal boroughs paid him an annual penſion for his countenance and protection. He fell upon a notable expedient for ſqueezing money from the city of Edinburgh. He obtained from the King a grant of the village called the *Citadel* of Leith, erecting it into a free borough of barony and regality, with many privileges and immunities, dignified with the pompous name of *Charleſtown*. Lauderdale's drift in obtaining this grant was, that the magiſtrates of Edinburgh ſhould

* Records of privy council, No 5. p. 44.; Wodrow, v. 2. p. 49.

1685. ſhould purchaſe it from him at an extravagant * price, as it ſomewhat interfered with the intereſts of that city. They treated with him accordingly about the purchaſe. They durſt not incur his diſpleaſure, by falling ſhort of his demands; but paid him for this feather, the exorbitant price of L. 6000 Sterling. Through the intereſt of Lauderdale, the corporation of Edinburgh obtained a grant of certain duties upon all wine and beer conſumed within the city, to diſcharge its debts: For this he was gratified with L. 11000 Sterling. When miniſters are rapacious and mercenary, it is not to be expected that their inferiors will be diſintereſted. Accordingly, we find the city-clerk of Edinburgh, who went to London to manage this job with Lauderdale, and others in the ſame office, who went at different times, on ſimilar expeditions, imitating the rapacity of their ſuperiors, to the deſtruction of the city's revenue.

* * * * * * * * *

In the period we have deſcribed, the finer feelings of the ſoul, the delicate traces of manners, are loſt amidſt the fury of civil contention. Nothing is to be diſcovered but the violence of party-ſpirit drowning the cries of humanity, overflowing the bounds of juſtice, and habituating the mind to an utter contempt of morals; to a ſacrifice of every law, human or divine, to gratify the ſelfiſhneſs of individuals, or accompliſh the purpoſes of faction. This aera, indeed, affords an exemplary inſtance, that nothing ſo deeply perverts the judgment, and corrupts the heart, as the fury of civil contention, when excited by religious bigotry.

On the one hand, we behold the crown betrayed into tyrannical meaſures, by the fanatical and ſeditious principles of the people. On the other, we ſee the people actuated by no love for civil liberty; but contending, with the fury of tygers, for particular doctrines, or even forms of religion. From circumſtances ſuch as theſe, the adverſaries

* Maitland's hiſt. p. 98. 99. 101.

verſaries of our faith have boaſted, with invidious triumph, that 1685.
in the wide range of antiquity, no religion but the Jewiſh, the foundation of our ſyſtem, breathes a perſecuting and intolerant ſpirit; whereas the Chriſtian ſects have been diſgraced by a ſwelling catalogue, of cruſades, maſſacres, proſcriptions, and aſſaſſinations.

The moſt diſtinguiſhing feature of the preſbyterians, was a gloomy and moroſe contempt of the ſocial pleaſures, and a rigid exerciſe of (what they termed) *the duties of religion.* The preachers, inſtead of recommending to their followers to keep their appetites and paſſions in due ſubjection, taught them, that, to delight in ſenſual enjoyments, was ſinful, and to mortify them highly meritorious. They went further; they conceived the deepeſt guilt, or the higheſt exertion of piety and virtue, to conſiſt in matters to the laſt degree trifling or abſurd. The divines gave ſcope to their imagination, in deſcribing thoſe ideal inſtances of godlineſs or iniquity. The ſecond, and the fourth commandments, were the favourite topics of their declamation. They could perceive idolatry in the diſpoſition of a lady's head-dreſs *, or the adjuſting of her cloaths; and multiply, to an inconceivable extent, the variety of tranſgreſſions of the † decalogue. The ſtrict obſervance of the *Sabbath*, they inculcated in its moſt gloomy auſterity. To go on that day to the threſhold, or to walk through one's own houſe, if with a view to any worldly purpoſe, or even idly, was held a deeper crime than deliberate murder.

Upon the reſtoration, a different, and even oppoſite manner of living (at leaſt with the royaliſts) took place. Hoſpitality was revived and indulged to exceſs. Horſe-races, cock-fighting, and ‡ other amuſements, were cultivated. The nobility and gentry gratified their vanity in the ſplendour of their retinues. It became a matter

* Durham on the ten commandments, p. 251. 272. 274. 275.

† Durham, in treating of the ſecond commandment, diſpoſes the modes of ſinning againſt it, and the arguments to prove theſe modes to be ſins, into numerical diviſions and ſubdiviſions, to the extent of 700, and upwards. ‡ Mercurius Caledonius, p. 18. 73. 118. 122.

1685. matter of policy with the government to encourage any circumſtance which could mark the diſtinction of ranks; to this effect, coronets, which had not hitherto been uniformly borne by the nobility, nor diſtinguiſhed by marks, pointing out the different orders to * which they belong, were appointed by the King to adorn their armorial bearings. An expedient much more effectual was deviſed for making out and perpetuating the diſtinction of ranks, for ſupporting nobility of birth, upon the ſolid baſis of indiſſoluble opulence of poſſeſſion. The proprietors of lands were allowed to deviſe their eſtates by deed † of *entail*, to any ſeries of heirs, and to endleſs generations; to ſuch effect, that they could neither be ſold nor burdened by the proprietor for the time being, nor attached by his creditors; nor the will of the *entailer* be diſappointed by any device whatever. Public ſolemnities, eſpecially funerals, were celebrated with an extravagance of pomp, which, at once ‡, diſplayed the vanity of the conductor, and reduced him to poverty. It was found neceſſary to reſtrain, by a ſumptuary law, this abſurd extravagance ‖.

A TABLE

* Records of privy council, No 1. p. 481. † James VII. parl. 1. ſeſſ. 1. c. 22.

‡ See the funeral of Archbiſhop Sharp, appendix, No IV. and of the Duke of Rothes, appendix, No V. Charles II. parl. 3. c. 14. 1681.

‖ In this period, the royal college of phyſicians was erected by patent. Before that, the city was over-run with quacks and mountebanks. There is a lively inſtance of the deplorable ſtate of the ſcience of medicine in the records of the privy council. One *Joannes Michael Philo phyſician*, ſets forth to the privy council, that his Majeſty had allowed him to *practiſe his profeſſion* in England, and for that purpoſe *to erect public ſtages*; and he intreats the ſame liberty in this kingdom. The council, accordingly, allow him to erect a ſtage in the city of Edinburgh; but they alſo appoint the petition to be intimated to, and anſwered by, the *Maſter of Revells*, againſt the next meeting of the council; and, in the mean time, diſcharge *the phyſician to practiſe rope-dancing*. Records of privy council, No 2. p. 609. 27th June 1763.

A TABLE of the PRICES of PROVISIONS from A. D. 1600, to A. D. 1685.

		Sterling.	L.	sh.	d.
1629.	May 31.	A pair of chickens	0	0	4
		A dozen of fowls	0	4	0
	June 4.	A dozen of eggs	0	0	1½
	15.	Two Salmon	0	0	8
	19.	A ſalmon	0	0	10
	October 11.	A ſide of beef	0	5	6⅔
		Two carcaſes of mutton	0	5	0
		A pound of candles *	0	0	5
	25.	A boll of ſalt	0	13	4
	28.	A pound of butter	0	0	5
1630.	January 10.	*Three dozen of onions*	0	1	0
	17.	A peck of ſalt	0	1	1⅓
1650.	May 10.	A lamb †	0	1	6
		A ſalmon	0	1	2
		Plumbdames, (i. e. prunes) per pound	0	0	4
	11.	A lamb	0	1	9
	12.	A choppin of vinegar	0	0	6
	14.	A choppin of milk	0	0	1
	17.	A carcaſe of mutton	0	5	0
	June 20.	A ſalmon grilce	0	0	4
		A dozen of eggs	0	0	2
	21.	A ſide of veal	0	2	6
	July 3.	A dozen of whittings	0	0	2
1653.	January 6.	A pound of candles	0	0	6⅔
		A fowl	0	0	5
			Y		A dozen

* Diet book of King's College Aberdeen, beginning May 1629, in the archieves of King's College. † Ditto, beginning 10th May 1650.

		L.	sh.	d.
	January 8. A dozen of eggs	0	0	3
1653.	12. A fowl	0	0	6
	A dozen of haddocks	0	0	4½
	A carcase of beef	1	5	10
	22. *Two dozen of parsnips*	0	0	6
	February 5. A dozen of haddocks	0	0	6
	15. A salmon	0	1	0
	18. A dozen of fowls	0	7	0
	March 9. A peck of salt	0	0	10
	May 6. Half a pound of hopps	0	0	5
	30. *Plumbdames per* pound	0	0	5
	June 3. A peck of salt	0	0	6
	10. A lamb	0	2	6
	July 1. A pound of butter	0	0	4½
	A choppin of milk	0	0	1
	The highest prices of wines *per* retail, over all Britain and Ireland *, viz.			
	Canary and Muscadell wines *per* English quart	0	1	6
1656.	Rhenish ditto *per* ditto	0	1	0
	Gascony and other French wines *per* ditto	0	0	7
1660.	A pair of † pidgeons	0	0	2
1661.	May 29. For a bonefire at the College-gate	0	13	4
	A mason's wages *per* day	0	1	4½
	To ditto *for his morning's drink and four-hours*	0	0	4
	A barrowman's wages	0	0	6½
	Morning's drink and four-hours for ditto	0	0	4
	Allowance for the principal's and professors diet, at the College table *per* quarter each	1	16	8
	For their servants *per* ditto each	1	0	0

For

* Declarations, ordinances, and proclamations of Oliver Cromwell, 17th September, 1656. † Authenticated accompts of receipts and discharges, by John Drenan, factor for the New College St Andrews, A. D. 1658. et seq. in the archieves of that college.

		L.	sh.	d.
1661.	For the beadles *per* ditto each .	1	0	0
	A profeſſor allowed for his charges at Edinburgh *per* day . .	0	3	4
	A horſe hire from St Andrews to Queensferry . . .	0	5	10
	An impriſoned robber's * allowance *per* day, payable by the exchequer	0	0	4
	Poſtage of a † ſingle letter to Glaſgow	0	0	2
	of all beyond Glaſgow ..	0	0	3
	of a letter to Ireland .	0	0	6
	Wine glaſſes *per* dozen ‡, *made at the Citydel, Leith* . . .	0	3	6
	Mutchkin (or Engliſh pint) bottles made at ditto *per* ditto .. .	0	2	6
	Choppen bottles *per* dozen . .	0	4	6
	Scots pint bottles *per* dozen .	0	9	0
	Scots quart ditto, per ditto, . .	0	18	0
1666.	When rough ‖ bear is at 10 s. *per* boll Linlithgow meaſure, then ale ſhall be ſold *per* Scots pint at . ..	0	0	1
	With the addition of one-ſixth of a penny as *exciſe* in country-pariſhes, and one-ſixth more in the city of Edinburgh			
	When bear is at 13 s. 4 d. the pint of ale ſhall be . . .	0	0	$1\frac{2}{3}$
	When at 16 s. 8 d. the pint of ale ſhall be	0	0	2
1667.	Scottiſh cavalry furniſhed § with a ſtone of hay, or 18 pounds ** of ſtraw for	0	0	5

* Records of privy council, No. 1. p. 12. 9th July 1661. † Ibid p. 186. 16th Sept. 1662. ‡ Kingdom's intelligencer, 14th Jan. 1664, p. 1025. ‖ Records of privy council, No. 1. p. 534. Jan. 18th 1666. § Ibid No. 2. p. 19. 19th Dec. 1667.

** There was no ſown graſs in Scotland till the beginning of the preſent century. The hay here ſpoke of was a miſerable ſpecies of herbage which grew ſpontaneouſly in wet lands.

		L.	sh.	d.
1667.				
February 20.	Poſtage of a ſingle * letter from London	0	0	4
	Straw *per* ſtone †, 2 d. hay	0	0	2½
1678. September 2.	A pair of partridges ‡	0	0	8
3.	A hare	0	0	4½
4.	A pair of pidgeons	0	0	2
6.	A pair of chickens	0	0	4
11.	A pair of ducks	0	1	0
	A dozen of flounders	0	0	4
28.	A carcaſe of veal	0	6	8
October 3.	*Eight dozen of onions*	0	0	10½
November 8.	Whittings *per* dozen	0	0	4
1679. March 10.	A turkey	0	3	4
11.	Oyſters *per* 100	0	0	10
	A pair of moorfowl	0	2	0
	Apples *per* dozen	0	0	5½
12.	A pound of anchovies	0	8	1½
13.	A dozen of lobſters	0	3	0
	A lamb	0	9	2
	A capon	0	0	9
May 21.	A ſole	0	0	6
July 7.	A young turkey	0	1	5
22.	For ſix ſollen geeſe and their carriage, (that were got when the Duke of Monmouth came)	0	15	6
Auguſt 21.	Lemons *per* dozen	0	2	0
	Oranges *per* ditto	0	2	0
	A barrel of Cucumbers	0	6	0
22.	For confections (*that were got when the Duke of Monmouth was here*)	3	7	2½

November

* Records of privy council, No. 2. p. 39. Feb. 20. 1668. † Ibid No. 3. p. 506. 1677.

‡ Houſehold-book of the Earl of Hadington, beginning 31ſt Auguſt 1678, in poſſeſſion of the Earl of Selkirk.

		L.	sh.	d.
1679. November 8.	A pound of mace	0	13	4
	Ditto of nutmegs	0	6	0
	Two puncheons of claret wine, excise and all	13	0	0
	For a puncheon of claret (*when Lord Binning was christened*)	5	0	0
1682. December 6.	A carcase of mutton *	0	2	6
	A pound of butter	0	0	4½
8.	A dozen of eggs	0	0	2
	A pair of hens	0	0	11
12.	A pair ditto	0	1	0
15.	Carcase of an ox	1	3	4
25.	A salted ox	1	10	0
	A goose	0	1	5
December 27.	A pair of hens	0	0	8½
1683. January 1.	A carcase of beef	2	1	8
February 22.	A hog	0	10	8
March 6.	A pig	0	0	8
9.	A capon	0	0	8
10.	Pidgeons *per* dozen	0	0	10
19.	A carcase of beef	2	8	4
May 11.	A pair of hens	0	0	10
19.	A lamb	0	1	8
22.	A pair of chickens	0	0	3
30.	A carcase of beef †	3	6	8

DINNER

* Diet book of St Salvadore's college, in the archieves of the united colleges, St Andrews, beginning A. D. 1682. † It is remarkable, that, in a whole term, which then lasted about nine months, fish are not mentioned above four times; and, when they are mentioned, the terms are so general, that their prices cannot be ascertained. No mention at all is made of garden stuff. For the prices of grain during this period, see in appendix No. VII. a table of the prices of grain from A. D. 1645, to A. D. 1777, *inclusive*.

*DINNER at KING'S COLLEGE Table, Aberdeen, 31ſt May 1650.

Sitters at the firſt table 14, therefore, of wheat-bread 7 loaves, ale, 7 pints, (Scots meaſure). Sitters at the ſecond table 8, therefore, of oat-bread, 4 loaves, ale, 4 pints. Pantrie men 3, therefore, a loaf and a half, and of ale, 1 pint, 1 choppin. Burſars, 22, to them and to the Principal's man, 11 loaves and a half. One ſalmon and a cut, haddocks, 4 dozen and a half, *plumbdames*, (i. e. prunes,) 4 lib. 3 legs of lamb, and two fowls in a diſh of broth.

SUPPER.

Sitters at the firſt table 16, therefore, of *oat* bread, 8 loaves, and of ale, 8 pints. Sitters at the ſecond table 7, to them 3 loaves and a half, and of ale, 3 pints and a choppin. Pantrie men 3, to them 2 loaves and a half, *one and a half to eat, and one to the milk.* Servants 4, to them 2 loaves and a half. Burſars 20, therefore, 10 loaves. *Plumbdames*, 4 lib. haddocks, 4 dozen, ſalmon, 3 cutts, 4 eggs, lamb, 5 quarters, and a quart of milk, with 4 loaves of wheat-bread.

DINNER, June 2.

Sitters at the firſt table 12, at the ſecond table 6, pantrie men 3, burſars 21, ſervants 4. (to all theſe, bread and ale as in the preceding), beef, 6 *tailzies*, (cuts or pieces), viz. 3 to the high table, 1 to the ſecond table, and 2 for ſkink. *Plumbdames*, 4 lib. lamb, 3 legs, haddocks, 4 dozen.

SUPPER.

Sitters at the firſt table 15, at the ſecond 6, pantrie men 3, burſars 21, ſervants 4; having bread and ale conform. Lamb, 4 legs, plumbdames,

* Diet-book of King's College table, Aberdeen *ut ſup.*

plumbdames, 4 lib. eggs, 5 dozen, milk, a quart, with 4 loaves of wheat-bread.

SUPPER in the Right Honourable the EARL of HADINGTON's Houſe of Tynningham, Friday, 2d of May 1679.

Preſent, the family *, the Dutcheſs of Hamilton, Sir Donald Carmichael, the Laird of Humbie, and others.

Two pieces of freſh beef, one piece of veal, a piece of roaſted pork, mutton baked, and done in collops, ſix pieces; five fowls boiled, five ditto roaſted, ſixteen chickens, ſixteen pidgeons, two ſides of lamb, a tart, ſeven wild fowl, ten chickens ſtewed; of ale, eight gallons †, ſixty-eight rolls, ſeventy-two loaves.

DINNER on Monday the 7th of July.

Preſent, the Duke of Monmouth, three Marquiſſes, thirteen Earls, and many Gentlemen.

Of freſh beef, ſix pieces, mutton, nineteen pieces, pork, four pieces, veal, five pieces, eight tongues, and ſix udders, eight marrow-bones, nine geeſe, three ſides of lamb, two collared pigs, fourteen roaſt hares, three ſtewed hares, thirty-four roaſted chickens, ſixteen baked ditto, thirteen ſtewed ditto, eight fricaſſeed ditto, twenty-eight ditto for pottages, twelve roaſt fowls, nine ditto in pottage, three hams, thirteen roaſt ducks, ſix ſtewed ducks, ſeven moor-fowls, fifty pouts ‡, ſix lobſters, two ſalmon, one * * * four ſoles, three haunches of veniſon, three old turkies, ten young turkies, two dozen of crabs, two dozen of flounders, two grand ſallads, two * * * twenty gallons of ale, two hundred rolls, one hundred and ſixty loaves.

DINNER

* Houſehold-book of the Earl of Hadington, beginning 31ſt Auguſt 1678, and ending 8th November 1679, in poſſeſſion of the Right Honourable the Earl of Selkirk.

† A Scots gallon contains ſixteen Engliſh quarts; ſo there had been uſed of ale, ten dozen and eight Engliſh quarts. ‡ Young moor-fowl.

1679. DINNER on Thurſday the 21ſt of Auguſt.

[*My Lord's Son was Baptized.*]

Of freſh beef, ſix pieces, mutton, ſixteen pieces, veal, four pieces, three legs of veniſon, ſix geeſe, four pigs, two old turkeys, eight young turkeys, four ſalmon, twelve tongues and udders, fourteen ducks, ſix roaſted fowls, nine boiled fowls, thirty chickens roaſted, twelve ditto ſtewed, eight fricaſſeed, ten in pottage, two ſides of lamb, twenty-two wild fowl, pidgeons baked, roaſted, and ſtewed, one hundred eighty and two, roaſted hares ten, fricaſſeed ſix, three hams.

SUPPER.

Roaſted mutton, two pieces, two ditto in collops, twenty-ſix roaſted pidgeons, ſix hares, ſixteen gallons * of ale, an hundred rolls, a hundred and twenty-four loaves.

CHAP.

* During the fifteen months that this houſehold-book comprehends, we have diſcovered *three tierces* and five puncheons of claret to have been purchaſed; one puncheon of white-wine, a quantity of brandy, and ſome other liquors, in very ſmall quantities. How much wine was uſed occaſionally, is not mentioned, only that, on certain days ſpecified, a puncheon of wine was pierced. A puncheon of wine was the ſame with our preſent hogſhead. A tierce contained three-fourths of a puncheon.

CHAPTER V.

JAMES VII. *mounts the Throne—Servility of the People and Parliament—Severities of Government—Tumults in Edinburgh upon the Landing of the Prince of Orange—Convention of Eſtates ſettles the Crown on William and Mary—The Preſbyterian Religion is ſubſtituted in Room of Epiſcopacy—Rigours of the new Government—African Company—Acceſſion of Queen Anne—Trial of Green the Pirate—The Union—Diſcontent of the People—Rebellion* 1715—*Manners—Table of the Prices of Proviſions from* 1685 *to* 1715—*Specimens of the Table of the Dutcheſs of Buccleugh and Monmouth.*

JAMES VII. during his reſidence in Edinburgh, when Duke of York, had courted popularity not altogether unſucceſsfully. The town-council, on his entry, received* him with great pomp, and entertained him at an expence which teſtified their loyalty more than their oeconomy †. The college of juſtice, in their robes, paid their compliments to him upon that occaſion. The council offered King Charles a ſupply of ſeven months ceſs, to aſſiſt him in ſupporting the Duke's ſucceſſion. Upon James's mounting the throne, they preſented a loyal addreſs, and were ſo delighted with the ‡ affectionate letter which his Majeſty ſent them in return, as to order a box of curious workmanſhip to be made for it at a conſiderable expence. The council, to continue themſelves in favour at court, upon this, 1685.

* Council regiſter, 1680, p. 175. and 224.; Fountainhall's deciſions, v. 1. p. 114.

† The Duke and Dutcheſs of York, the Lady Ann, afterwards Queen of Great Britain, and the whole court of Scotland, were preſent at this entertainment. It was given in the parliament-houſe; but, to accommodate the company, it was found neceſſary to pull down the partition which divided, and where a new wall ſtill divides, the outer parliament houſe from the place where the bookſellers ſtalls are kept. The expence of the entertainment exceeded L. 1400 Sterling.

‡ Council regiſter, 1685, p. 152.

1685. as upon former occaſions, made a handſome * preſent, or bribe, to the ſecretary of ſtate.

Soon after James's acceſſion, a parliament was held at Edinburgh. They ſeemed to glory in the ſolemnity with which they made a ſurrender of their liberties into the hands of their Sovereign. They made an act, in which they adopted a pompous and fabulous narrative, of the nation's having, for a period of two thouſand years, been ruled with felicity and glory, by the lineal ſceptre of a hundred and eleven Monarchs. Then they proceeded to acknowledge the 'Kings' † ſacred, ſupreme, abſolute power and au-'thority, which none, whether perſons or collective bodies, could 'participate of, but in dependence on, and by commiſſion from 'him.' And to enable him to ſupport theſe poſitions, they declared, that the whole nation, from ſixty to ſixteen, ſhould be in readineſs to aſſiſt his Majeſty where, and as oft as he ſhould pleaſe to require them. At the ſame time, the whole exciſe, both on inland and foreign commodities, was annexed to the crown for ever. By other ſtatutes, to embrace the covenant, to write in its defence, or acknowledge it to be obligatory, were declared to infer the crime of treaſon. And, on the other hand, every perſon was commanded to take the *teſt*, under a pecuniary ‡ penalty, at the diſcretion of the privy council.

The courtly complaiſance of the parliament did not, however, free the people from being ſuſpected of diſaffection. The violences in the late reign, which had been ſo diſagreeable to them, were now avowedly exerciſed with the utmoſt ſeverity and imprudence. The miniſtry were naturally jealous of thoſe to whom they had given ſuch cauſe of offence. Accordingly, upon the invaſion threatened by Argyle, the Magiſtrates renewed, under high penalties, an edict they had publiſhed

* The preſent to my Lord Melfort ſecretary, was L. 800; Council-reg. 1685, p. 174. and 176. † James VII. parl. 1. c. 2. 5. 3. ‡ Mr Hume is miſtaken in ſaying, that to refuſe the *teſt*, if ordered by the privy council, was declared to be treaſon. See Hume's hiſt. v. 8. p. 230.

liſhed by orders of the privy council, a few days before the late King's deceaſe, whereby maſters of families were obliged to give up to them, upon oath, liſts of all perſons * in their families, and of ſtrangers lodging with them; 'becauſe many diſloyal people 'were reſet,' (i. e. harboured among them.) The report of the invaſion was ſuppoſed to be a pretence trumped up by government, for raiſing men and money to promote their oppreſſive meaſures. When certain accounts of the invaſion were received, it was determined, that the college of juſtice ſhould be regimented and armed in defence of government. But Argyle's being brought priſoner to Edinburgh, where he was ſoon after beheaded, rendered that meaſure † unneceſſary. 1685.

The public attendance upon maſs, by the chief officers of ſtate, about this time, excited a tumult in Edinburgh. A rabble of apprentices and others, inſulted the Chancellor's lady, and other perſons of diſtinction, when returning from their chapel. The affront was reſented with great ſeverity. A journeyman baker being ordered by the privy council to be whipped through the Canongate for being concerned in the riot, the mob roſe, reſcued him from puniſhment, beat the executioner, and continued all night in an uproar. The King's foot guards, and ſoldiers from the caſtle, were brought to aſſiſt the town-guard, in quelling this diſturbance. They fired among the mob, and killed two men, and a woman. Next day, ſeverals were ſcourged; but the privy council were ſo afraid of the populace, that they appointed a double file ‡ of muſqueteers and pikemen, to prevent the ſufferers from being reſcued. An information was, at the ſame time, lodged againſt a drummer, by two papiſts, for ſaying, 'he could ‖ find in his heart to run his ſword 'through *them*;' and, although he declared that he meant the rabble, 1686.

* Fountainhall, v. 1. p. 331. and 362. † Hume's hiſt. v. 8. p. 231.

‡ By an act of King James VII. 1ſt parl. ſeſſ. 2. c. 12. judicious regulations were eſtabliſhed for cleaning the ſtreets, and freeing them from beggars, to which it were to be wiſhed a more uniform attention had been paid. ‖ Fountainhall, v. 2. p. 399. 401. 407.

1686. rabble, not the papiſts, he was condemned and ſhot to death. And a fencing maſter, for approving of the late tumult, and drinking confuſion to the papiſts, although, at the ſame time, he drunk the King's health, was hanged at the croſs.

Notwithſtanding thoſe ſeverities, and the diſcontent they behoved to produce *, the Magiſtrates, upon an act being paſſed, reſtoring the ſummer-ſeſſion, ſent his Majeſty a letter of thanks for that favour, in which they † aſſured him, 'of their moſt hearty devotion 'to his ſervice, being ready, with their lives and fortunes, to ſtand 'by his ſacred perſon upon all occaſions, and praying the conti-'nuance of *his princely goodneſs and care* towards this his city.' The King alſo reſtored to them the impoſt upon ale, which, although ‡ it continued to be levied from the inhabitants, had, it ſeems, been
1688. ſeized by the treaſury, and added 12 years to the former grant of that duty. And the guard of 108 men, which the town were obliged to ſupport, was reduced to fifty.

The preſs groaned under that reſtriction which was impoſed on every ſpecies of liberty. No books were allowed to be printed without conſent of the Chancellor. To inſert articles in the news papers, without licence from the Biſhop of Edinburgh, or ſome member of the privy council, had ‖ already been prohibited; and various perſons were impriſoned for publiſhing, or ſelling, books reflecting on popery, while thoſe in its favour were publiſhed with impunity. Nay, ſo great was the partiality in behalf of this religion, that a popiſh printer's preſs and effects, which were ſeized for his houſe-rent, were violently reſcued from the landlord, and the printer protected in the abbey. And ſuch was the zeal for converſion, that a popiſh college in the abbey printed their rules §, *and invited all children to be educated there gratis.*

The

* James VII. parl. 1686, act 5th. † Council reg. 1686, p. 316. ‡ Maitland's hiſtory of Edinburgh, p. 108. ‖ Fountainhall, v. 1. p. 73. § Ibid. v. 1. p. 403. 482. 502.; Declaration of eſtates.

The effects of theſe, and ſimilar violences, by which the conſtitu- 1688.
tion was totally annihilated, were conſpicuous in Edinburgh, as in other parts of the kingdom. No ſooner was it known that the Prince of Orange had landed, and that the regular troops were withdrawn to reinforce the Engliſh army, than the preſbyterians, and other friends to the revolution, flocked to Edinburgh from all quarters. Great ſeverities were exerciſed upon papiſts, epiſcopals, and friends to the unhappy and exiled royal family, of whatever denomination. The Earl of Perth, Chancellor, fled from Edinburgh; and the government fell entirely into the hands of revolutioners. A mob roſe, drums were beat through the city, the inhabitants aſſembled in great multitudes. They proceeded to demoliſh the chapel of Holyroodhouſe; but were oppoſed by a party of about a hundred men ſtationed in the abbey *, and who adhered to the intereſts of James. The mob preſſing forward, were fired upon by this party; about a dozen were killed, and thrice as many wounded, upon which they fled for the preſent; but quickly returned with a warrant from ſome Lords of the privy council. They were headed by the magiſtrates, town-guard, trained bands, and heralds at arms, who required Wallace, the captain of the party, to ſurrender; and, upon his refuſal, another ſkirmiſh enſued, in which Wallace's party were defeated, ſome being killed, and the reſt made priſoners. Then there was nothing to reſiſt their fury. The abbey-church, and private chapel, were robbed, and deſpoiled of their ornaments, the college of the Jeſuits almoſt pulled in pieces, and the houſes of the Roman catholicks plundered. The Earl of Perth's cellars became a notable prey to them; and wine, conſpiring with zeal, inflamed their fury.

None were more forward than the council of Edinburgh in offering their ſervices to the Prince of Orange; and thoſe men who ſo Dec. 28.
lately declared to King James, 'That they would ſtand by his ſacred 'perſon upon all occaſions, and who prayed the continuance of his 'princely

* Scott's hiſt. of Scotland, p. 702.; Balcarras's memoirs, p. 38. et ſeq.

1688. 'princely goodneſs and care,' were now * the firſt in 'offering their 'ſervices to the Prince of Orange, in complaining of the helliſh at- 'tempts of Romiſh incendiaries, and of the juſt grievances to all 'men, relating to conſcience, liberty, and property.'

After the Chancellor's flight, the Marquis of Athole, the next officer of ſtate, who declared violently in favours of the Prince of Orange, aſſumed to himſelf the reins of government; but, upon his
1689. going for London, the college of juſtice regimented and armed † themſelves, and kept tranquillity in Edinburgh, till an order for diſbanding them was obtained at the Duke of Hamilton's inſtigation.

March 14. A convention of eſtates was held at Edinburgh, which declared ‡, that King James having aſſumed the regal power, without taking the oath required by law, and altered the conſtitution of the kingdom by an exertion of arbitrary power, forfeited his right to the crown, which they ſettled on William and Mary; and preſented a liſt of grievances to be redreſſed. They alſo, becauſe ‖ the former elections had been ſubject to undue influence, ordained a new election of the magiſtrates, and ordinary council of Edinburgh, to be made in St Giles's church, by poll of the burgeſſes who were liable for public burdens, and for watching § and warding, honorary burgeſſes being excluded. And they deprived ſeveral miniſters ** of Edinburgh of their churches, becauſe they declined to pray for the newly appointed Sovereigns. The meeting of eſtates was converted into a parliament, prelacy was aboliſhed, and the preſbyterian form of church-government was eſtabliſhed in its place.

Theſe important innovations were not effected without oppoſition and diſturbance. The Duke of Hamilton, and other friends to the revolution, brought in publicly ſeveral companies of foot which were quartered in the city, beſides multitudes that were hid in garrets and cellars. Edinburgh caſtle was kept in behalf of James, by the

* Council reg. 1688, p. 277. † Balcarras's mem. p. 58. ‡ Scott's hiſt.; Acts of eſtates of parliament 1689. ‖ Journals of parliament, April 5. 1689. § A ſpecies of borough ſervice cuſtomary in Scotland. ** Ibid. April 26.

the Duke of Gordon, its governour. The Lords Balcarras and Dundee alſo ſupported the intereſt of the exiled Monarch. The latter of theſe noblemen, upon information of an attempt to aſſaſſinate him, left Edinburgh at the head of fifty horſe. In paſſing by the caſtle, he clambered up the rock, and held a conference with the Duke of Gordon. The novelty of the ſight attracted a multitude of ſpectators; and it was reported in the city, (where the convention was then ſitting), that there was an inſurrection of the adherents of Dundee. A general panic enſued. Drums were beat through the city. The troops introduced by the Duke of Hamilton aſſembled. The members of convention being confined in their hall, were terrified at the noiſe and uproar. The doors of the convention being afterwards thrown open, moſt of James's friends * deſerted the royal cauſe, or left a city where they were expoſed to ſuch alarms and dangers. And the caſtle, which had been beſieged, being poorly ſupplied with proviſions, quickly ſurrendered. 1689. June 13.

The new-modelled government entertained ſuch a jealouſy of the college of juſtice, as to diſarm all its members; commanding them, under the higheſt penalties, to deliver up their whole arms (wearing ſwords excepted) to the Lord Provoſt of Edinburgh. They treated James's friends with conſiderable ſeverity. The common jail of Edinburgh was crouded with ſuſpected perſons. The Lords Balcarras and Kilſyth, and ſeveral gentlemen, were confined there, in ſeparate dungeons, like the meaneſt malefactors; and, although the rigour of their confinement was abated, ſome of them were kept there for ſeveral years, notwithſtanding the bribes taken by Lord Melvil, the Secretary, to procure their releaſe. Nay, there is the moſt compleat proof, that torture † was repeatedly uſed to extort evidence, although, by the declaration of eſtates, it was expreſsly pronounced to be contrary to law. Connection will excuſe us for anticipating 1692.

* Balcarras's mem. p. 69. et ſeq.; Scott's hiſt. p. 705.; London gazett, No. 2463.; Dalrymple's memoirs, p. 287. † Criminal regiſter of Edinburgh, p. 1.; Records of privy council, 13th June, 18th July 1689, 14th March 1690; Balcarras's mem. p. 85.; Journals of parliament, 18th April 1689; Swift's works, vol. 13. p. 312. et ſeq. p. 318.

1692. ticipating ſomewhat in our detail, by obſerving, in this place, that ſome pamphlets being printed in the year 1700 *, reflecting upon government, the whole printers in Edinburgh were ſummoned before the privy council, and two perſons were impriſoned. The government exerted a ſtill higher ſtretch of authority; for an engraving being executed, wherein various figures, pictures, and names, were repreſented, ſeveral perſons † were apprehended; and the author, and one who aſſiſted, were actually tried for high treaſon before the court of juſticiary.

1695. A company for trading to Africa, and the Indies, was eſtabliſhed, and favoured with conſiderable privileges, by an act of parliament in the year 1695. The Scottiſh nation univerſally flattered themſelves with the moſt eager and unbounded proſpects of extended trade and empire from the eſtabliſhment of this company. But their ſanguine expectations tended only to make them feel the more bitterly their cruel ‡ diſappointment and mortification; a diſappointment that not only ruined many families, but excited a dangerous ferment in the nation, which well nigh terminated in open rebellion. England was jealous that this company would rival its trade. William, like a ſevere and partial father, uſed every means to cruſh it both at home and abroad; and the Engliſh, Dutch, and Spaniards, from inclination, as well as direction, were alert miniſters of his vengeance.

1696. The company being eſtabliſhed, L. 400,000 Sterling were ſubſcribed by Scotſmen reſiding in Scotland. Six ſhips of conſiderable force and burthen, laden with various commodities, ſailed from the Frith of Forth. The news of their ſettlement on the Iſthmus of Darien arrived at Edinburgh on the 25th March 1699, and was celebrated with the moſt extravagant rejoicings. Thanks were publicly offered

* Edinburgh gazette, No. 135. † Record's of juſticiary, 14th and 22d April, and 24th May 1701; Edin. gaz. No. 213. 217. ‡ Acts of the Scottiſh parliament, 26th June 1695; Lockhart's memoirs, p. 29.; De Foe's hiſt. of Union; Scott's hiſt. p. 710. et ſeq.; Smollet's hiſt. of England, v. 9. p. 195.; Printed liſt of Adventurers; Edin. gaz. No. 8. No. 36.; Macpherſon's hiſt. of Britain, v. 2. p. 170.

fered up to God in all the churches of the city. At a public gradu- 1698.
ation of ſtudents, at which the magiſtrates, in their formalities, attended, the profeſſor of philoſophy pronounced a harangue in favour of that ſettlement, the legality of which, againſt all other pretenders, was maintained in their printed theſes; and it ſeems even to have been a common ſubject of declamation from the pulpit.

The company felt ſeverely the influence of its powerful opponents. The petitions and complaints of the company and the parliament, and the murmurs of the people, were equally diſregarded. Upon news being received of the defeat of the Spaniards who attacked our ſettlement, a mob roſe, obliged the inhabitants to illuminate their windows, committed outrages upon the houſes of thoſe 1700.
who did not humour them by compliance, ſecured the avenues to the city, and proceeded to the tolbooth, the doors of which they burnt, and ſet at liberty two printers, who had been confined for printing pamphlets reflecting on the government. But, when it was underſtood that they were driven from their ſettlement, their capital loſt, and their hopes utterly extinguiſhed, they were ſeized with a tranſport of fury. Violent addreſſes were preſented to the King; and the mob were ſo outrageous, that the Commiſſioner, and officers of ſtate found it prudent to retire for a few days, leſt they ſhould have fallen ſacrifices to popular fury *.

Upon the acceſſion of Queen Ann, it was found not expedient to call a new parliament; and that which ſat during the reign of the late King was aſſembled by her Majeſty's command. The Duke of 1702.
Hamilton, and ſeventy-nine members, proteſted againſt it as illegal, and withdrew from the aſſembly. The faculty of advocates paſſed

* An act was paſſed in the year 1698, regulating the manner of building in Edinburgh, with regard to ſtrength, conveniency, and ſecurity from fire. The utility of theſe regulations was made conſpicuous by a fire, which in the year 1700, committed dreadful devaſtation, laying waſte moſt of the buildings to the ſouth and eaſt of the parliament-ſquare; by which, it was computed, near 200 families were diſlodged. William, parl. 1. ſeſſ. 7. cap. 8.; Council regiſt. vol. 36. p. 475.; Edinburgh Gazette, No. 99.

1702. a vote among * themſelves in favour of that proteſt, declaring it to be founded in the laws of the kingdom, for which they were proſecuted before the parliament, and ſharply reprimanded, which gave great offence to the nation.

The diſcontent which the Scots felt at the loſs of their ſettlement in Darien, which they imputed, in a good meaſure, to the ill offices of the Engliſh, produced an event, which, although not important in itſelf, inflamed their national animoſity. A ſhip belonging to the African company was ſeized in the Thames. They ſolicited reſtitution in vain from the Engliſh miniſtry; but, upon making application at home, they obtained authority from the government to ſeize, by way of repriſal, a veſſel (captain Green commander,) belonging to the Engliſh Eaſt India company, which put into the Forth. The unguarded ſpeeches of the crew, in their cups, or their quarrels, made them be ſuſpected, accuſed, and, after a full and legal trial, convicted of piracy, aggravated by murder, and that committed upon the maſter and crew of a Scots veſſel in the Eaſt Indies. Still, however, the evidence upon which they were condemned, was by many thought ſlight, and interceſſions † for royal mercy were uſed in their behalf. But the populace were enraged that the blood of a Scotſman ſhould be ſpilt unrevenged. On the day appointed for the execution, a vaſt mob ſurrounded the priſon, and the parliament-ſquare, where the privy council, aſſiſted by the magiſtrates of Edinburgh, then ſat deliberating whether the ſentence ſhould be executed. The furious intentions of the populace were well known; and the magiſtrates aſſured them, that, three of the convicts were ordered for execution.

Mar. 16. 1705.

The Lord Chancellor paſſing from the privy council in his coach, ſome one called aloud, 'That the magiſtrates had but cheated them, 'and reprived the criminals.' Their fury inſtantly kindled into action. The Chancellor's coach was ſtopped at the Tron-church, the glaſſes were broken, and himſelf dragged out of it. Happily ſome friends

* Lockhart's mem. p. 15.; Scott's hiſt. p. 713.; Smollet's hiſt. vol. 9. p. 275. † Records of admiralty, 16th March 1705.; De Foe's hiſt. p. 48.

friends of his Lordſhip reſcued him. But it became abſolutely neceſ- 1705.
ſary to appeaſe the enraged multitude by the blood of the criminals.

The contiguity and compactneſs of the Britiſh iſles, not extenſive in territory, and being fortified in their boundaries by the ſea, which divides them from the reſt of Europe, promiſe ſuch obvious advantages from their being united under one government, as even, in an early period of our hiſtory, attracted the attention, and excited the endeavours * of our Princes to its accompliſhment. Edward I. propoſed an union of the crowns, by the marriage of his ſon with the Maid of Norway. Henry VIII. made a ſimilar propoſal, by a marriage between his ſon and Mary Queen of Scots. And the crowns being united by the acceſſion of James VI. to the throne of England, he earneſtly, but ineffectually, attempted his purpoſed union, not only of the crowns, but of the kingdoms. The ſame deſirable object was again fruitleſsly attempted by Charles II.

The national antipathies which had ſubſiſted between Scotland and England from the earlieſt periods of their hiſtories, heightened by the pride, jealouſy, and mutual injuries of both nations, and which had hitherto baffled every attempt towards their union, far from being allayed, were, by recent miſunderſtandings and offences, exaſperated into keener animoſity. Among the cauſes of theſe miſunderſtandings and offences, beſides the eſtabliſhment of the African company, which excited the jealouſy of the Engliſh, who, from motives of policy or revenge, conſpired its downfal, and the execution of Green the pirate, which have been already mentioned, there may be reckoned the maſſacre of Glencoe, a ſcene which we are happy that the nature of this work does not require us to fully theſe pages by its deſcription; the mutual jealouſies of Scotland and England concerning their reſpective religions, with the act for ſecuring their civil and religious liberties, paſſed by the one nation †, and the 'act for 'preventing dangers ariſing from the act of ſecurity,' paſſed by the

 other;

* Dalrymple's annals, p. 190.; Hume's hiſt. v. 2. p. 250; Scott's hiſt. p. 172.; De Foe's hiſt. from p. 20. to p. 31. † Acts of the Scottiſh and Engliſh parliaments.

1706. other; and the oppoſite views of different parties in both kingdoms, reſpecting the ſucceſſion to the crown upon the demiſe of Queen Ann.

This laſt, however, operated equivocally; for, as the Jacobites dreaded the extinction of their hopes by an union with a nation which had already nominated the houſe of Hanover to the ſucceſſion, ſo the ſame reaſon induced the Whigs, with the utmoſt of their power, to promote the union.

If the paſſions and intereſts of the nation, in general, were deeply engaged in an object of ſuch importance, thoſe of the city of Edinburgh behoved to be ſo in a peculiar degree. Whatever ſpeculative, whatever real advantages Scotland might have promiſed herſelf from an union with the neighbouring kingdom, ſtill Edinburgh would ſuffer in ſuch objects, as, from their nature, behoved to ſtrike the ſenſes powerfully. The withdrawing the national councils, and every ſemblance of royalty, mortified her pride, and diminiſhed her wealth and importance. It is not to be wondered, then, that a meaſure ſo univerſally unpopular in Scotland, ſhould excite the moſt dangerous ferments in Edinburgh.

To uſe the words of De Foe *, 'The Jacobite and the preſbyterian, the perſecuting prelatic nonjuror and the Cameronian, the papiſt and the reformed proteſtant, parled together, joined intereſt, and concerted meaſures together,' againſt the union.

The articles had been induſtriouſly concealed from the knowledge of the people; but, on their being printed, univerſal clamour and uproar enſued. The outer parliament-houſe, and the ſquare adOctober. joining, (the parliament being then ſitting,) were crowded with an infinite number of people, who, with hootings and execrations, inſulted the Duke of Queenſberry, Commiſſioner, and every partizan of the union, while thoſe who headed the oppoſition were followed with the loudeſt acclamations. Nor did the populace confine themſelves

* De Foe's hiſt. p. 20. 28. 31.; Lockhart's mem. from p. 222. to p. 249.; Scott's hiſt. p. 723.; Smollet's hiſt. v. 9. from p. 429. to p. 435.; M'Pherſon's hiſt. v. 2. p. 354. et ſeq.

ſelves to ſuch empty marks of indignation. On the 23d of October, 1706. the mob attacked the houſe of Sir Patrick Johnſton, a ſtrenuous promoter of the union, their late Lord Provoſt, and one of their repreſentatives in parliament. By a narrow eſcape, he ſaved himſelf from falling a victim to popular fury. The mob increaſing, rambled through the ſtreets, threatening deſtruction to the promoters of the union. By nine at night they were abſolute maſters of the city; and a report prevailed, that they were going to ſhut up the ports. To prevent this, the commiſſioner ordered a party of ſoldiers to take poſſeſſion of the Netherbow, and afterwards, with conſent of the Provoſt, ſent a battalion of foot-guards, who poſted themſelves in the parliament-ſquare, and the different lanes and avenues of the city, by which means the mob was quelled.

The panic which ſeized the commiſſioner, and others concerned in the treaty of union, was not, however, allayed. In order to their protection, and the ſupport of their meaſures, the whole army was brought into the neighbourhood of Edinburgh. Three regiments of foot did conſtant duty in the city, a battalion of guards protected the abbey, and the horſe-guards attended the commiſſioner. None but members were allowed to enter the parliament-ſquare while the houſe was ſitting; and his Grace the Commiſſioner walked from the parliament-houſe, amidſt a double file of muſqueteers, to his coach, which waited at the croſs; and he was driven from thence at full gallop to his lodgings, hooted, curſed, and pelted by the rabble.

Every expedient valued by * *modern politicians*, as having the moſt powerful efficacy in promoting converſion, being applied, the union was compleated. Although ſeventy years have elapſed ſince that period, the temper of the people, diſplayed in their ſpeeches, writings, and particularly in the votes of a certain houſe upon the linen manufacture,

* Lockhart's mem. p. 414.

1708. manufacture, and Scots militia bills, lead us to ſuſpect *, that they have not hitherto breathed a mutual ſpirit of harmony.

The new laws for collecting the revenue of Scotland being rigorouſly exerciſed by ſwarms of Engliſh tax-gatherers, who were poured into the country, rendered its degraded and abject ſituation more ſenſibly humiliating and oppreſſive. The general diſcontent of the people, with the eager hopes, and preſſing inſtances of the Jacobites, induced the Pretender, with the aſſiſtance † of a French fleet, to attempt an invaſion of Scotland, by landing in the river Forth. The Earl of Leven, commander of the forces, which were neither numerous nor well-affected, upon the firſt notice of the arrival of a French fleet, communicated the intelligence to the Lord Provoſt of Edinburgh. The Magiſtrates, and chief perſons among the incorporations, being aſſembled upon this critical occaſion, manifeſted their loyal reſolutions in defence of the country, by ordering the town's company of fuſilliers to be increaſed, and agreeing to raiſe 1200 men, to ſerve under Lord Leven. But the activity which Sir George Byng exerted, in purſuing the French fleet, and driving them from the coaſt, rendered their ſervices unneceſſary, and freed the nation from the imminent danger to which it was expoſed. The Magiſtrates of Edinburgh teſtified their gratitude to Sir George, by preſenting him and the principal officers in the fleet with the freedom of the city; and, at the ſame time, a genteel entertainment was provided for them.

The ideas of the people not being reconciled to a violation of hereditary right in the ſucceſſion to the crown, with the unpopular and
1715. violent conduct of adminiſtration, excited a rebellion in Scotland. The council of Edinburgh provided for the ſecurity of the town, and

* The council conſidering, that the ſeat of parliament being removed to London, their repreſentative would be put to conſiderable expence in attending it, ordered L. 300 a year to be paid to him; Council reg. 25th November 1709. † Lockhart's mem. p. 371. et ſeq.; Scott's hiſt. p. 742.; Smollet's hiſt. v. 9. p. 469. et ſeq.; M'Pherſon's hiſt. p. 390; Maitland's hiſt. p. 113.; Edinburgh courant, No. 403.; Council reg. v. 39. 11th March. 12th March.

and the ſupport of government, by ordering * the city walls and gates to be repaired and fortified; the ſluice upon the north-loch to be dammed up, and trenches to be made; the town-guard to be augmented; the trained bands to be armed; 400 men to be raiſed and maintained at the city's expence; and armed veſſels to be fitted out, to aſſiſt the King's ſhips, in preventing the rebel army from croſſing the Forth. 1715.

The enterpriſe began on the part of the rebels with an unſucceſsful attempt to ſeize Edinburgh caſtle by ſurpriſe. The run upon the bank of Scotland was ſo great, that they ſtopped payment on the 19th September, and ordered their notes to bear intereſt from that date. About 1500 men, under the command of Brigadier M'Intoſh, were conducted over the Forth in open boats, with ſo much art and addreſs, as to land in Eaſt Lothian ſafely, and without interruption from the armed veſſels which cruized along the coaſt, to obſtruct their paſſage. M'Intoſh, with his troops, took poſſeſſion of Seaton-houſe. They marched towards Edinburgh; but found it ſo well guarded and fortified, as to make it imprudent to riſk an aſſault, upon which they repaired to Leith, and fortified the citadel. The Duke of Argyle marched with his forces, intending to diſlodge them; but, being unprovided with cannon, was obliged to deſiſt from his attempt. He threatened to return reinforced with artillery; and the rebels thought proper to evacuate the citadel. Six thouſand troops, demanded from the States of Holland, arrived in defence of government at Edinburgh. Rebellion languiſhed and expired; and tranquillity was reſtored to the country. Sept. 8. Dec. 20.

Having in this chapter deſcribed the tranſactions of the city of Edinburgh during the arbitrary reign of James VII. the revolution, union, and rebellion 1715, it may not be amiſs to conſider the manners and cuſtoms of the people, and the prices of proviſions during that period.

The

* Smollet's hiſt. v. 10. from p. 182. to 196.; Scott's hiſt. p. 754. et ſeq.; Maitland's hiſt. p. 118.; Council reg. 26th October 1715.; Scott's courant, No. 1544.

The magiſtrates, under authority of a grant by James VI. impowering them to make 'acts, ſtatutes, and ordinances, for the good 'government of the town, and to inforce them under ſuch pains 'and penalties as they ſhould judge expedient,' exerciſed their juriſdiction in a manner that would not have diſgraced a court of ſtar-chamber. Not ſatisfied with the different corporations having excluſive privileges to exerciſe their ſeparate trades, they * erected monopolies of almoſt every occupation that can be figured. One perſon got an excluſive privilege of printing news papers three days in the week; another of printing burial letters; a third of diſperſing burial letters; a fourth of japaning; a fifth of keeping chaiſes to ply between Leith and Edinburgh; a ſixth of keeping ſtage-coaches going between theſe towns; a ſeventh of hawking ballads and laſt ſpeeches, &c.

Printers were prohibited by them from printing unlicenſed † pamphlets, under the penalty of loſing the freedom of the borough, and being otherwiſe *fined and puniſhed at the will of the magiſtrates.* And they held ſo watchful an eye over the *education* of youth, that none durſt teach dancing in public or private ‡, within the city or ſuburbs, without licence obtained from the council. It is not to be wondered, that, among a ſour and fanatick people, magiſtrates ſo well diſpoſed to exerciſe authority, ſhould pay particular attention to what they called the duties of religion. A rigorous attendance on public worſhip was enforced. People called, from their office, *ſeizers*, patroled the ſtreets, and apprehended thoſe found walking in them during the time of ſermons.

They interfered in matters beneath the cognizance of the civil magiſtrate, and which ought to be left entirely to the diſcretion of individuals. The council enacted, that, whereas, 'the not obliging 'all perſons to repair timeouſly to their lodgings ‖ at night, is one 'of

* Council reg. v. 37. p. 214. v. 39. 10th and 17th Auguſt 1709, and 28th March 1702. Edinburgh gazette, No. 163.; Council reg. v. 49. p. 211. † Council reg. v. 37. p. 475. ‡ Council reg. v. 49. 30th Aug. 1721. ‖ Ibid. v. 36. p. 862.

'of the greateſt cauſes of the abounding of drunkenneſs, uncleanneſs, night-revellings, and other immoralities and diſorders, both 'in houſes and upon the ſtreets, and is a great hinderance to ſober 'perſons in their worſhiping of God, in ſecret, and in their families.' Therefore, they prohibit all perſons from being in taverns, cellars, &c. after ten at night, under penalties, at the diſcretion of the magiſtrates, according to the degree of the contumacy; diſcharge vintners to keep people in their houſes after ten o'clock, under penalty of 10 d. each; order conſtables to ſearch for, and the guard to inform upon perſons found drunk in the ſtreets; and declare their reſolution to hold 'two courts in the week, allenarly for 'cognoſcing and puniſhing of immoralities, ſuch as curſing, ſwearing, drunkenneſs, breach of the Lord's day,' &c. and to give informers the third part of the fines as their reward.

Abſurd and extravagant puniſhments for fornication *† continued to be inflicted; the conſequence of which was, that child-murder was exceedingly frequent. Four women were condemned for this crime in one day ‡, and died accordingly, declaring that their dread of the pillory was the cauſe of their murders.

Women, in the mean ranks of life, were in the moſt deplorable condition imaginable. The young, if they loſt their chaſtity, were harraſſed and terrified into crimes which brought them to the gallows; and the old, under the abſurd imputation of witchcraft, were tormented by the rabble, till, by the confeſſion of an imaginary crime, an end ‖ was put to their ſufferings §.

* See chap. 1. † Council reg. v. 37. p. 780. ‡ Fountainhall, Dec. v. 1. p. 126. 137. ‖ Records of privy council.

§ That the reader may be enabled to form the more diſtinct idea of trials for witchcraft, as then conducted, we ſubjoin the following ſhort account of a trial before the high court of juſticiary, and an extract from the indictment: Ten women were accuſed of witchcraft. The facts from which the crime libelled was inferred, were pretty much the ſame. The indictment againſt one of them is as follows: 'Nevertheleſs ye are guilty of the ſaid 'crime, in ſo far as, about two years ſince, ye the ſaid Iſobell Elliot, being then ſervant

'to

A lively idea may be formed of the number and condition of the poor, from the words of a contemporary author. 'There are, 'ſays he), at this day, in Scotland, 200,000 people begging from 'door to door. Theſe * are not only no way advantageous, but a 'very grievous burden to ſo poor a country; and, though the num-'ber of them be, perhaps, double to what it was formerly, by rea-'ſon of this preſent great diſtreſs; yet, in all times, there have been 'about 100,000 of thoſe vagabonds, who have lived without any 'regard or ſubjection, either to the laws of the land, or even thoſe 'of God and nature; fathers inceſtuouſly accompanying with their 'own daughters, the ſon with the mother, and the brother with the 'ſiſter. No magiſtrate could ever diſcover, or be informed, which 'way one in a hundred of theſe wretches died, or that ever they 'were baptized. Many murders have been diſcovered among them; 'and, they are not only a moſt unſpeakable oppreſſion to poor te-'nants, but they rob many poor people who live in houſes diſtant 'from any neighbourhood. In years of plenty, many thouſands of 'them meet together in mountains, where they feaſt and riot for 'many days; and, at country-weddings, markets, and burials, and 'other the like public occaſions, they are to be ſeen, both men and 'women, perpetually drunk, curſing, blaſpheming, and fighting 'together.'

The

'to Helen Laing, in Peaſtoun, an witch, ye, at her deſire, ſtaid at home from the kirk, and 'was preſent at a meeting with the devil, the ſaid Helen Laing and Marion Campbell 'witches, in the ſaid Helen's houſe, where the devil kiſſed you, and offered to lie with you, 'and cauſed you renew your baptiſm, and baptiſed you upon the face, *with an waff of his 'hand like a dewing*, calling you Jean; and ye being then with child, the devil did forbear 'to lie with ye; but, after ye were *kirked*, the devil had carnal copulation with you; 'and, ſince that time, ye have had ſeveral meetings with the devil and ſeveral witches, 'and has many times had carnal copulation with him.' They were all convicted on their own confeſſions, condemned to be ſtrangled at a ſtake, and burned. Records of Juſticiary, Sept. 13. 1678.

What notion ſhall we form of popular opinions in general, or of thoſe which then prevailed in this country in particular, when his Majeſty's advocate could proſecute, fifteen impartial jurymen convict, and the ſupreme judges of the nation condemn to the flames, ten women in one day, for having had carnal copulation with the devil?

* Fletcher's works, p. 100.

The nobility and gentry, in public proceſſions, funerals, &c. diſplayed a degree of pomp unknown in the preſent times. The Duke of Queenſberry, the King's Commiſſioner, when coming to Edinburgh A. D. 1700 *, was met by the Magiſtrates about eight miles from the city, which he entered with a train of near forty coaches, and about 1200 horſe. And the riding of parliament, of which we have given a deſcription in the Appendix †, was, we apprehend, a more magnificent proceſſion than any now to be found in Britain, the coronation excepted. Horſe-races, ſo much in vogue at the reſtoration, were not altogether diſuſed. Public cock-matches were held in a cock-pit built in Leith links ‡, A. D. 1702; and the paſſion for cock-fighting was ſo general among all ranks of people, that the Magiſtrates diſcharged its being practiſed on the ſtreets, on account of the diſturbances it occaſioned ‖. A public concert of muſic was held in Bailie Fife's cloſe every Saturday §, at five o'clock afternoon, during the whole winter ſeaſon. Gentlemen exerciſed themſelves in playing at golf, tennis **, and in ſhooting with bows and arrows. And ſcientific dabblers hunted after the perpetuum mobile ††.

* Edinburgh gazett, No. 128. † Appendix, No. VI. ‡ Spectators paid for admiſſion into the cock-pit 10 d. for the front-row, 7 d. for the ſecond, and 4 d. for the third; Edinburgh gazett, No. 339. ‖ Council regiſter, v. 37. 16th February 1704.

§ Edinburgh gazett, No. 339. ** The tennis court, which was in the precincts of the palace, was long ago converted into a weaver's work-houſe, and two years ago was burnt to the ground.

†† Among a number of extravagant advertiſements which appeared about this time, reſpecting the perpetuum mobile, the reader will accept the following one, taken from the Edinburgh Courant, 15th December 1707: 'Theſe are giving advertiſement, that, in 'purſuance of ſome overtures given in by Mr Robert Stuart, miniſter of the goſpel, in 'January and February laſt, in the Edinburgh Courant, concerning the perpetuum mo-'bile. For the further ſatisfaction of mankind, and clearing their ſcruples anent the ſame, 'there was a curious model made at the charges of John Earl of Breadalbane; which 'model will demonſtrate the poſſibility, probability, and practicability of theſe three new 'diſcoveries, viz. a balance, by which an equal overcomes an equal at the ſame time. '*Secondly*, that being granted, a weight always going down, and never going lower. '*Thirdly*, theſe being granted, a clear idea of the perpetuum mobile. If any man doubt 'of theſe propoſitions, the model is brought to town,' &c. &c.

A TABLE of the PRICES of PROVISIONS from A. D. 1685 to 1715.

		Sterling. L.	sh.	d.
1685.	Principal pieces of beef, from 1st December to 1st June, *per* pound	0	0	2¾
	Ditto, from 1st June to 1st December	0	0	1¼
	Veal, from 1st November to 15th March	0	0	3½
	Mutton, from 1st June to 1st Auguſt	0	0	2
	Ditto, after the 1st Auguſt	0	0	1½
	Pork	0	0	2¼
	No price is mentioned for lamb; but exorbitant rates are forbidden to be exacted for it *.			
	Turkey cock	0	3	6
	Turkey hen	0	2	6
	Tame gooſe before 1st December	0	1	2
	Ditto in December	0	1	8
	Capon	0	1	0
	Hen	0	0	9
	Cock	0	0	5
	Pair of chickens from 1st April to 1st Auguſt	0	0	6
	Pidgeons *per* pair	0	0	2½
	Tame duck	0	0	8
	Black cock	0	1	0
	Partridge	0	0	6
	Woodcock	0	0	7
	Muir-fowl	0	0	6¾
	Sollen-gooſe	0	2	0
	Pig	0	1	0
				Rabbits

* Council regiſter, v. 32. p. 180. 182. 188. et ſeq.

		Sterling. L.	sh.	d.
1688.	Rabbits per pair, skinned	0	0	10
	Oysters *per* 100	0	0	10
	Fresh butter *per* pound	0	0	4½
	These were the prices of the different articles the best in quality.			
1690.	Prisoner alimented *per* night	0	0	6
1699.	Best wheat *per* boll	1	8	4
March.	Ditto barley	1	2	2¾
	Oat meal *	1	2	0
	Ditto *per* peck	0	1	6
	Broad cloth, *per* yard, from 6 sh. to	1	4	0
	Brandy *per* pint	0	4	0
	Malaga *per* ditto	0	2	4
	Florence ditto	0	2	8
1701.	Claret *per* bottle	0	1	4
June.	Horses grazed at Woodhall *per* night	0	0	6
	Ditto, at Prieststield *per* ditto	0	0	7
1702.	Coal at Woolmet *per* dale	0	8	4
	Small ditto, *per* ditto	0	4	2
	Finest wheat bread loaf of 6 oz. 8 drop	0	0	6
	Second ditto, 8 oz. 12 drop	0	0	6
	Third ditto, 10 oz. 15 drop, called *masshloch bread*	0	0	6
	Tea *per* pound from 14 sh. to	1	10	0
	Sugar *per* pound	0	0	8
	But sometimes retailed at the rate of	0	2	0
	Chocolate	0	3	6
	Jamaica pepper	0	2	2
	Starch	0	0	6½
1705.	Woolmet coal *per* dale	0	11	8
	Use of the cold-bath *per* time	0	4	0

Use

* Council register; Fountainhall's decisions; Edinburgh gazett; Edinburgh courant; Records of privy council.

		L.	sh.	d.
1705.	Use of the cold-bath *per* half year	2	0	0
	Ditto *per* year	3	10	0
	* Hot-bath *per* time, if one person entered it	0	10	0
	Ditto, if more than one bathed at a time, *per* head	0	5	0
1707.	Lemons, *per* dozen, from 1 sh. to	0	3	0
	Choppin bottles *per* dozen	1	10	0
	Pint ditto	3	0	0
1708.	Best wheat *per* boll	0	11	11
July.	Ditto bear	0	10	0
	Ditto oats	0	6	10
	Ditto pease	0	5	10
1709.	Best wheat	1	5	0
February.	Ditto bear	0	19	8
	Ditto oats	0	13	10
	Ditto pease	0	13	8
May.	Meal sold by the Magistrates for the relief of the poor *per* peck	0	1	0
1710.	Hay sold *per* stone	0	0	10
Sept.	Tow-wick candles *per* ditto	0	5	2
	Cotton-wick ditto	0	5	10

TABLE.

* The bath belonged to the company of surgeons. We may, therefore, rest assured, that the hot or cold baths were then prescribed for all diseases.

TABLE of Her GRACE the DUTCHESS of BUCCLEUGH and MONMOUTH, kept at Dalkeith, A. D. 1701, and 1702.

Preſent, the family *, Earl of Rothes, Earl of Hadington, Lord Elcho, and three gentlemen.

DINNER.

FIRST COURSE, Haunch of veniſon boiled; roaſt mutton; veal collops; boiled fiſh; pidgeon pye; brown fricaſſee of rabbits; whiting pottage.—SECOND COURSE, Roaſted wild fowl; roaſted chickens; eggs in gravy; fried flounders; collard pig; buttered crabs; tarts. Saturday Oct. 4. 1701.

DINNER. Her GRACE's Table.

FIRST COURSE, 200 oyſters; bacon and peaſe pottage; *haggiſs*, with a calf's pluck; beef collops; mutton roaſted, three joints; fricaſſee of five chickens; remove, a roaſted gooſe.—SECOND COURSE, ſix wild fowl, and ſix chickens; buttered crabs; collard beef; tarts; four roaſted hens.——Steward's table.—Beef, one piece; roaſted mutton, two joints.——Officers table.—Beef, two pieces; roaſted mutton, two joints.——Laſt table.—Beef, three pieces; mutton roaſted, ſix joints. Nov. 8. 1701.

SUPPER, Her GRACE's Table.

One joint of mutton in ſtakes; fryed toaſt; broiled whitings; two roaſted rabbits.——Steward's table.—Mutton roaſted, three joints.——Officers table.—Mutton roaſted, three joints; two hens.——Laſt table.—Mutton roaſted, eight joints.

BREAKFAST.

* M. S. houſehold book of the Dutcheſs of Buccleugh and Monmouth, in the poſſeſſion of his Grace the Duke of Buccleugh.

BREAKFAST.—Her GRACE's Table.

Two joints of mutton in collops; four quarters of roaſted lamb; two roaſted capons.

DINNER, Her GRACE's Table.

June 7. 1702. FIRST COURSE, A pottage, with one chicken; cold pidgeon pye; roaſted beef; four fricaſſeed rabbits; two joints of mutton minced; remove, four boiled capons and bacon.—SECOND COURSE, Nine roaſted chickens; a diſh of tarts; two quarters of roaſted lamb; a diſh of peaſe; three roaſted lobſters.—For the children, three chickens.——Steward's table.—Roaſted beef; plumb-pudding.——Officers table.—Boiled mutton, three joints; roaſted beef; plumb-pudding.——Laſt table.—Six joints of boiled mutton; four pieces of roaſted beef.

BREAKFAST, Her GRACE's Table.

Two joints of veal in collops; ſix roaſted chickens; eggs in the ſhell; four joints of roaſted mutton.

DINNER, Her GRACE's Table.

July 12. 1702. FIRST COURSE, Peaſe pottage, with a hen; mutton-ſteak pye; roaſted beef; four rabbits fricaſſeed; broiled whittings; ox cheek; fricaſſeed calf's foot; remove, four boiled hens with bacon.—— SECOND COURSE, eight roaſted powts *, and ſix chickens; tarts; four roaſted ducklings; fryed ſweet-breads; artichokes; amulet; collared pig.—For the children, three chickens.——Steward's table. —Boiled mutton, two joints; roaſted beef.——Officers table.— Boiled mutton, four joints; roaſted beef; plumb-pudding.—— Laſt table.—Eight joints of boiled mutton; four pieces of roaſted beef; plumb-pudding.

The

* Young moor-fowl.

The houſehold-book, from which we have taken the preceding articles, contains alſo an account of the proviſions purchaſed for that noble family; but as, in general, they are charged much higher, in many inſtances double, in ſome almoſt treble, of what was undoubtedly the common rate of proviſions at this period, we have not ventured to ſtate from this book any articles, in the foregoing table, of the prices of proviſions; yet, as this book contains ſome articles, the prices of which we cannot inſtruct by any other document, and particularly of vegetables; and, as we think it may not be improper to point out, to great and noble families, how much they may be impoſed upon by their ſtewards, we ſubjoin the following table, which we hope will not be deemed altogether incurious nor uſeleſs.

A TABLE of the PRICES of ſeveral articles of PROVISIONS, as ſtated in the Dalkeith houſehold-book, A. D. 1701, and 1702.

			L.	ſh.	d.
1701.	October 24.	A hen	0	1	2
		A pair of chickens	0	0	10
		A pair of rabbits	0	1	8
		Oyſters *per* 100	0	2	0
		A pair of ſoles	0	2	4
	October 30.	Tame duck	0	1	2
	24.	A peck of pears from Invereſk	0	11	0
	November 1.	Ditto of potatoes from Edinburgh	0	2	6
		Artichokes *per* dozen brought from Pinkey	0	1	0
		Onions *per* 100	0	1	8
		Turnips from Edinburgh *per* 100	0	2	6
	November 14.	Carrots from ditto *per* 100	0	3	4
		Baking apples from Monkton-hall *per* peck	0	6	0
		A large turbot	0	5	0

		L.	ſh.	d.
November	A turkey cock	0	6	0
15.	Powder ſugar *per* pound	0	1	1
22.	Loaf ſugar *per* pound	0	1	8
29.	A pound of mace	1	17	4
1702. June 1.	A green gooſe	0	2	0
2.	Ditto of nutmeg	0	16	0
2. O. S.	A peck of green peas from Newbottle	0	4	2
	A pint of gooſeberries	0	0	4
3.	Turnips *per* dozen	0	0	6
4.	Cherries *per* 100	0	1	0
July 2.	Ditto *per* ditto	0	0	2
	Green peas *per* peck	0	1	0
7.	Colliflowers *per* dozen	0	5	0
29.	Apricots *per* dozen	0	0	6
	Plumbs *per* ditto	0	0	6
July 7.	A ſollen gooſe	0	2	4
	Anchovies *per* pound	0	4	0

CHAPTER

CHAPTER VI.

FANATICK Edicts of the Town-Council and Preſbytery of Edinburgh —A great Fire in the City—Porteous's Mob, and its Conſequences— Extreme Rigour of the Seaſon—Rebellion 1745, *and its Conſequences.*

THE council, to enable the Provoſt to defray the expences of his office, having allowed him mean and baſe perquiſites, ſuch as ſecret acknowledgements from thoſe who got lucrative offices from the city, gratuities from thoſe who obtained tacks of the city's lands, or other branches of its revenue, &c. &c. which, far * from ſupporting his ſtation with becoming dignity, tended to make him mean, mercenary, and rapacious, aboliſhed this infamous practice †, and ſettled upon the Provoſt, in its ſtead, a ſalary of L. 300 a year. 1718.

The council, at this time, reſumed a project they had formed in the reign of Queen Anne, of improving the harbour of Leith, by extending the pier, and building wet and dry docks ‡, at the national expence. The government would not incur the expence, but encouraged the council in their projected improvement, by prolonging, for nineteen years, the duty of two pennies Scots on the pint of ale and beer ſold within the city, or liberties. The ſcheme, accordingly, was in part executed, and the town's debts, which were then about L. 25000, in the ſpace of five years, were nearly doubled.

The buſineſs (if it may be ſo called) of the town of Edinburgh now conſiſted in laying humble addreſſes at the foot of the throne 1722.

* Council regiſter, v. 46. 10th September 1718. † About this time, a ſubſcription was ſet on foot by the preſbytery of Edinburgh, for relief of the ſuffering proteſtants in Lithuania. The ſum raiſed within the preſbytery amounted to L. 821 : 9 : 0⅔.; Regiſter of preſbytery of Edinburgh, v. 7. p. 133. ‡ Maitland's hiſt. p. 120.

upon every trifling occaſion, and deſcribing the ſinful ſtate of the people, 'the abounding* of vice and immorality, particularly hor-'rid curſing and ſwearing, breach of the Lord's day, drunkenneſs, 'uncleanneſs, mocking at religion and religious exerciſes, contrary 'to the holy word of the great God, laws, and acts of parliament;' and in denouncing their anathemas againſt ſuch evil doers, and thoſe who ſhould be found ſtanding on the ſtreets on the Lord's day, or taking their diverſion †, *by walking* before, between, or after ſermons.

At

* Council regiſter, v. 51. p. 282.

† The town-council and preſbytery of Edinburgh went hand in hand in their zealous attempts to enforce a Judaical obſervation of the Sabbath. The reader will form a proper idea of thoſe *pious times*, from the following act of preſbytery, the obſervation of which was ſtrictly enforced by the authority of the town-council, as well as by the ſpiritual artillery of the church. 'The preſbytery, taking into their ſerious conſideration **, that, 'notwithſtanding, &c. &c. yet a great number take an unaccountable liberty in deſpiſing 'and profaning the ſame (i. e. the Lord's day) idly and wickedly, by ſtanding in com-'panies in the ſtreets, miſpending the time in idle diſcourſe, vain and uſeleſs communica-'tions, wholly alien from the true deſign and work of the day; and by withdrawing from 'the city, and other places of their abode, and taking occaſion thereunto, ſome immedi-'ately before public worſhip, and others after it is over, to take their recreations in walk-'ing through the fields, parks, links, meadows, with other places to which they reſort in 'companies, to find their own pleaſures. And by entering into taverns, ale-houſes, *milk-houſes*, gardens, or other places, to drink, tiple, or otherwiſe miſpend any part thereof; 'by giving or receiving civil viſits, which have no place amongſt the works which are 'required or allowed on the Lord's day; and by idly gazing out of windows, beholding 'vanities abroad, an indication not only of levity, but a profane neglect of the fitteſt time 'for *ſalvation work*. Yea, ſome have arrived at that height of impiety, as not to be aſha-'med of waſhing in waters, and ſwimming in rivers upon the holy Sabbath. But by 'theſe, and many other ways, is the Lord's day profaned. . . . . .

. . . . . .ſolemnly declare our juſt abhorrence of the 'foreſaid profanation. And do charge all who are guilty of Sabbath-breaking in any of the 'forementioned inſtances, or any otherwiſe, as they would not bring down the wrath of 'God upon themſelves and the land, that they forthwith henceforward ſeriouſly repent, 'wholly break off and abandon this their wickedneſs, certifying all ſuch who ſhall be 'found

** Regiſter of preſbytery of Edinburgh, 29th April 1719.; Council regiſter 24th May 1721.

At this time, a great fire happened in the lawn-market. It burned with ſuch rapidity, that neither the houſehold-furniture, goods, nor even the merchants books could be ſaved from the flames, in many of the houſes that were conſumed. A contribution was ſet on foot by the Magiſtrates, for relief of the ſufferers. L. 938 : 15 : 8 were raiſed for this charitable purpoſe. The ſum was diſtributed by the Magiſtrates and Miniſters of Edinburgh, and Lord Miltoun. A great * part of it was diſpoſed of in this upright and equitable manner! To one gentleman, afterwards member of parliament for the city, L. 124 : 4 : 0; to another gentleman, afterwards Lord Provoſt, L. 225; to a poor epiſcopal clergyman L. 2. 1725.

A tumult, as it has been commonly called, but, to ſpeak more properly, a conſpiracy, now happened in Edinburgh; a conſpiracy equally remarkable for the art with which it was contrived, the dexterity with which it was executed, and the heavy load of vengeance which it drew upon the city. Sept. 7. 1736.

The diſcontents raiſed by the union had not been entirely extinguiſhed. They were increaſed by the malt-tax, which, over all Scotland, was conſidered as extremely oppreſſive. But, notwithſtanding which, while in other places there were tumultuous riſings, Edinburgh behaved with ſuch exemplary quietneſs and decorum, as attracted

' found guilty, that they *ſhall* be liable to the cenſures of the church. And we obteſt all ' whomſoever, in the bowels of Chriſt, and as they would find mercy through him, that, ' from a principle of religious love and fear, they practically remember the Sabbath day, ' to keep it holy,' &c. &c. Although the following circumſtance happened about ſixteen years after this act of preſbytery, it may not be improper to inſert it in this place. The people, about that time, were in uſe to teach their birds to chant the ſongs of their party. It happened, that the blackbird of an honeſt Jacobitical barber, which, from his cage on the outſide of the window, gave offence to the zealous whigs by his ſongs, was neglected, on a Saturday evening, to be brought within the houſe. Next morning, he tuned his pipe to the uſual air, ' *The King ſhall enjoy his ain again.*' One of the *ſeizers*, in his holy zeal, was enraged at this manifeſtation of impiety and treaſon in one of the feathered tribe. He went up to the houſe, ſeized the bird and the cage, and, with much ſolemnity, lodged them in the city-guard.

* Printed diſtribution of this charity, bound up with the Council regiſter, v. 51.

1736. attracted the attention, and even the applauſe of government. An ill judged exertion of the nobleſt, yet moſt dangerous privilege of royalty, heightened thoſe diſcontents, and kindled them into open violence. At the execution of a ſmuggler in the graſs-market, attended with no other diſturbance than the boys pelting the executioner with ſtones, which, at Edinburgh, was common on theſe occaſions, John Porteous, captain of the city-guard, thought fit to fire twice upon the mob, and to order his men to do the ſame; the Captain's orders were obeyed; and ſix people were killed, and eleven ſeverely wounded. Porteous was proſecuted at the city's expence,
July 20. convicted by the unanimous verdict of a jury, and condemned: But Queen Caroline (then Regent) indulged the criminal with a reprieve. —The people were enraged to a degree of fury. They remembered that it had been a common practice of government, to ſcreen the *well affected* from the puniſhment of their murders: That the office of King's advocate was with-held from Sir John Lauder of Fountainhall, becauſe he declared he would proſecute the authors of the maſſacre of Glencoe, and that they eſcaped accordingly. They remembered that Green and his crew, who had been convicted of piracy and murder, committed upon their countrymen, would all of them have been pardoned, had not government been intimidated by the fury of the populace: That when a riot, excited (as many people thought) by oppreſſion, happened at Glaſgow, and the military fired among the mob, and killed or wounded * about twenty people, the commanding officer eſcaped unpuniſhed, and was promoted in the ſervice: Nay, that tyranny had then ſo eſtabliſhed her dominion, that, when every engine of miniſterial power was exerted to bring *the rioters* to puniſhment, while the criminal regiſter was ſwelled with the catalogue of their proſcriptions, no puniſhment was inflicted

* Council reg. v. 56. p. 331. v. 57. p. 53. Records of Juſticiary for A. D. 1725, 1726, and 20th July 1736. Maitland's hiſt. p. 123. and 124. Smollet's hiſt. v. 11. from p. 1. to p. 7. London Magazine, v. 5. p. 458. 510. 520. vol. 6. p. 219. 220. 300. 717. 737. Journals of the Houſe of Commons, vol. 22. 16. 24. May 8. 9. 13. 15. June 1737.

flicted on *the murderers*: Not even the ceremony of a trial was performed to appeaſe the injured *manes* of the ſlain. Fired with jealouſy and reſentment, they reſolved, that even royal mercy ſhould not reſcue Porteous from their vengeance. 1736.

A number of people, from different quarters, aſſembled on the night previous to that on which his execution would have taken place, had not the Queen granted him a reprieve. The cloaths which appeared under their different diſguiſes, as well as the conduct and deliberation with which their plan was executed, beſpoke many among them to be ſuperior to the vulgar; and that the violence they committed proceeded not from the raſh and unpremeditated concert of a rabble. They ſurpriſed and diſarmed the town-guard, blocked up the gates of the city, to prevent the admiſſion of troops quartered in the ſuburbs. The priſon-doors, which would not yield to the force of their hammers, they conſumed by fire. The priſoners they diſmiſſed, (Porteous excepted), whom they threatened with the tragical cataſtrophe which he dreaded. In vain did the magiſtrates endeavour to quell or appeaſe the ferment. They were pelted with ſtones, and threatened to be fired upon. The member of parliament for the city went to General Moyle, commander of the forces in Scotland, and intreated his immediate aſſiſtance, by the introduction of a body of his troops into the town; but this the General refuſed, becauſe he had no written order from the magiſtrates to that effect; which, indeed, Mr Lindſay, the member, in ſuch confuſion, neither could obtain, nor venture to carry about his perſon through the midſt of an enraged populace. They marched with lighted torches to the Graſs-market, opened a ſhop, took out a coil of ropes, and paid for them; and, after allowing Porteous to give to an aquaintance, in truſt, the money he had about him, to be delivered to his relations, they proceeded to a dyer's poſt, nigh the ſpot where the unfortunate people were killed. After reproaching him with his barbarity, they hanged him on the poſt, and diſ- Sept. 8.

perſed

perſed quietly, without committing any other outrage or diſturbance whatever.

Information of this outrage was received at court with the utmoſt indignation. It was deemed a premeditated inſult to government. Several expreſſes were deſpatched to his Majeſty then at Hanover. A pardon was promiſed to offenders, if they would diſcover their accomplices, and alſo a reward of L. 200 for each perſon ſo apprehended and convicted; and it was reſolved to make the city feel the weight of miniſterial vengeance.

1737. April 1. The Lord Provoſt of Edinburgh was taken into cuſtody, and, after almoſt three weeks confinement, was admitted to bail. His Lordſhip, with the four bailies of Edinburgh, were commanded to attend the Houſe of Lords. Three of the Lords of juſticiary were likewiſe ordered to attend; but this order produced a debate, upon a caſe not provided for by the articles of union, and for which there was no precedent; namely, how the Scottiſh judges ſhould be received, on the wool-ſacks, at the table, or at the bar? The arguments in favour of the firſt of theſe alternatives are obvious: That as, in the Houſe of Lords, bills are paſſed relating to Scotland as well as England; as appeals, upon caſes decided in Scotland, receive their final deciſion in that houſe; and, as Scottiſh Peers, for crimes committed in Scotland, would fall to be tried in that Houſe, doubts concerning the Scots law might frequently ariſe, which would make it as requiſite to have the opinion and aſſiſtance of the Scottiſh judges, upon theſe caſes, as to have thoſe of the Engliſh judges upon ſimilar caſes in the neighbouring kingdom: And that, when the Scottiſh judges ſhould be ſo called upon, no inequality, no diſtinction ſhould be obſerved between the judges of the ſupreme courts in Scotland, and thoſe of an equal rank in England. To theſe it was anſwered, that no perſon had a right to be admitted within the bar of the Houſe of Lords, but by patent, by writ, or by cuſtom: That the Scottiſh judges ſtood in neither of theſe predicaments; therefore they could not be admitted: And farther, that the Scottiſh judges

judges did not enjoy that privilege in their own country before the union." 1737.

But, in fact, perſons who were not members of the Houſe of Lords had been admitted within their bar. And two gentlemen who had been judges, but were not ſo then, in the year 1688, were called upon to give their evidence at the table. And as to the Scottiſh judges not enjoying that privilege in their own country, the conſtitution of their parliament did not require it. However, by a plurality of voices, they were ordered to attend at the bar in their robes.

An inquiry was made in the Houſe of Lords, reſpecting the legality and juſtice of the ſentence by which Porteous was condemned. A motion was made for having it declared erroneous; and ſeveral of the members ſcrupled not to cenſure both the verdict of the jury, and the ſentence of the court. They were both, however, fully juſtified, and the motion was dropped.

A bill was brought in, for diſabling Alexander Wilſon, Eſq; Lord Provoſt of Edinburgh, from enjoying any office, or place of magiſtracy, in that city, or in any part of Great Britain; for confining him to cloſe cuſtody for a full year; for aboliſhing the city-guard, and taking down the gates at the Netherbow-port. It paſſed the Houſe of Lords, notwithſtanding the vigorous oppoſition it met with from the Duke of Argyle, and many more of their Lordſhips. The bill was ſent down to the Houſe of Commons. The Scots members, *one only excepted*, exerted themſelves to the utmoſt, in defence of their capital. In every ſtage it received the keeneſt oppoſition. The bill was altered in its moſt eſſential circumſtances. The clauſes for impriſoning the Lord Provoſt, aboliſhing the city-guard, and taking down the gates, were left out. In place of theſe, a fine of L. 2000, to be applied to the uſe of Porteous's widow, was impoſed upon the city. And, even then, it was carried in the committee by the ſmalleſt poſſible majority. One hundred and thirty members voted for reporting the bill as amended; the ſame number voted againſt it. And,

1737. although it is cuſtomary for the chairman to give his voice upon the ſide of mercy, he voted in favour of the bill. It is farther remarkable, that two Scots members, the Solicitor General, and Mr Erſkine of Grange, were then attending an appeal in the Houſe of Lords, and were refuſed leave of abſence, otherwiſe the bill would have been totally loſt *.

Thus was the community of Edinburgh expoſed to great danger, and involved in much trouble and expence †, for a deed not their own; and to prevent which, although they, perhaps, did not exert every means that might have occurred to a perſon deliberating in his cloſet, while danger was at a diſtance; yet they uſed ſuch endeavours as ſhould for ever have ſcreened them from the ſuſpicion of being concerned in that outrage, or even of culpable neglect.

It is very remarkable, that, although forty years have now elapſed, no information has been offered, no diſcovery made of thoſe concerned in this conſpiracy, notwithſtanding the high rewards offered to informers, and the number of people whom it behoved to have been engaged in it; but a fidelity has been ſhown, which none but people acting from principle could have obſerved.

To prevent ſuch cataſtrophes in time coming, the town-council ordained, that, on the firſt appearance of an inſurrection, the chief officers, in the different ſocieties and corporations, ſhould immediately repair to the council, to receive and execute ſuch orders as the magiſtrates ſhall give them, for quelling ſuch tumults; and that under a penalty of L. 8 : 6 : 8 for each omiſſion.

1740. In the beginning of this year, the weather was remarkably ſevere. The cold was ſo intenſe, that above Alloa, the Forth was entirely frozen over; nay, there was even a cruſt of ice at the Queen's-ferry.

* The nature and deſign of this work could not admit, with propriety, our inſerting the copious arguments that were uſed for and againſt this bill.

† Porteous's widow, on account of the favours the town-council had ſhown her, accepted of L. 1500 in full. The expence of the magiſtrates in their journey to London, and ſtay there, with lawyers fees, &c. &c. at London and Edinburgh, conſiderably exceeded that ſum.

ferry. By the mills being ſtopped, a great dearth was occaſioned; 1740.
by the vaſt quantity of ſnow upon the ground, coals were brought into the town with difficulty, and ſeveral people periſhed with cold. The magiſtrates of Edinburgh *, with other ſocieties and individuals, did not ſit idle ſpectators of the diſtreſs of the poor. Public contributions were levied, private donations were ſent, money was lent by the banks to the magiſtrates without intereſt, for buying victual, which they ſold to the poor at very eaſy rates; but a bad harveſt ſucceeding †, and the prices riſing, notwithſtanding the great vigilance with which the magiſtrates exerted themſelves to keep the markets properly ſupplied, the people became tumultuous, broke in upon, and Oct. 24.
plundered ſeveral granaries, aſſaulted the juſtices of peace, and troops who were ſent to diſperſe them, and could not be reſtrained, till the military, upon orders being given by the civil magiſtrate, fired upon the mob, killed one, and wounded ſeverals. Afterwards, upon diſcovery being made, of ſeveral dead bodies having been raiſed, the mob ‡ burned the houſes of ſuſpected perſons, and committed other extravagancies, notwithſtanding the magiſtrates endeavoured to ap- 1742.
peaſe them, by rigorouſly puniſhing thoſe who were concerned in violating the ſepulchres of the dead.

The town-council having been acquainted, in a letter from one of the 1744.
ſecretaries of ſtate ‖, of an intention formed to invade theſe kingdoms, by the eldeſt ſon of the Pretender, aſſured his Majeſty of their fidelity in a loyal addreſs; and, upon information of his being landed in the north, they prepared for a vigorous defence of the city. The city-guard were augmented to a hundred and twenty-ſix men, the trained bands were ordered § to be in readineſs at the ſhorteſt warning. Ap- 1745.
plication was made to his Majeſty, and leave granted, to raiſe, and

* Scots Magazine, v. 2. p. 482.; Council reg. v. 60. p. 241.; Caledonian Mercury, No. 3090. 3091. 3092. 3094; Maitland's hiſt. p. 124. † We do not find, that, at the time this ſcarcity was ſevereſt, wheat ſold for more than L. 1 : 6 : 0, or meal for more than 19 s. *per* boll. ‡ Crim. reg. of Edin. 12th April 1742. ‖ Council reg. 22. Feb. 1744. § Council reg. 23. 28. Auguſt, 2. 4. 9. September 1745.

1745. maintain by ſubſcription, a thouſand men, who were to be under the
Sept. direction of the Lord Provoſt and council. A part of the King's forces were brought into the neighbourhood of the city; its walls ordered to be repaired; ditches to be thrown up; and inn-keepers, and others who let lodgings, were required to give exact liſts of ſtrangers reſiding in their houſes.

Upon the approach of the Pretender's army, which a few days before had croſſed the Forth above Stirling, the caſh of the banks, and other public offices, was removed into the caſtle. The King's forces, who, with the town-guard, were poſted at Corſterphin, and the Colt-bridge, fled precipitately. The town-guard retreated into the city, which was ſeized with general conſternation. The * inhabitants exclaimed, It was madneſs to expoſe their lives and properties to certain danger, by ſhutting the gates of a city utterly untenable againſt ſuch an army. The citizens were ſummoned to attend in the New-church iſle. It was there debated, Whether the city ſhould ſtand on its defence? Three or four voices only exclaimed in the affirmative. Upon which it was agreed to capitulate
Sept. 16. on the beſt terms that could be obtained. When, for this purpoſe, they were appointing deputies to treat with the Pretender's army, a letter was handed in, addreſſed to the Lord Provoſt and Magiſtrates, which was read as follows: '*Whereas we are now ready* † *to enter the beloved metropolis of our antient kingdom of Scotland.*' Here the reader was ſtopped with an interrogatory, By whom is the letter ſigned? and, upon being anſwered, 'It is ſuperſcribed, *Charles Prince of Wales*,' the meeting broke up in great confuſion. Early next morning, a coach driving down the ſtreets, the ſentinels, ſuſpecting
17. no bad conſequences, permitted the porter to let the coach paſs. But, upon the gates at the Netherbow being opened, a party of Highlanders, who had reached the gate undiſcovered, ruſhed in, ſecured this and the other gates of the city, took poſſeſſion of the main guard,

* Maitland's hiſt p. 127.; Scots magazine, v. 7. from p. 434. to p. 436. † Maitland's hiſt. p. 128.; Scots magazine, v. 7. p. 437.; Smollet's hiſt. v. 11. p. 217.

guard, made the ſoldiers on duty priſoners, and ſeized upon the 1745.
arms and ammunition belonging to the city.

About noon, the Highland army, headed by the Chevalier, arrived in the King's-park, and encamped near Dudingſton; the Chevalier himſelf taking poſſeſſion of Holyroodhouſe. They were met by an immenſe multitude of ſpectators, whom the novelty of Sept. 16.
the ſight, or affection to the cauſe, had drawn together. The heralds and purſuivants were obliged to publiſh at the croſs, with the ceremonies cuſtomary at royal proclamations, a declaration, commiſſion of regency *, and manifeſto. In theſe, the ſubjects were promiſed the free exerciſe of the proteſtant religion, and full enjoyment of their rights and privileges. Beſides theſe, proclamations were publiſhed, commanding the inhabitants of the town and county of Edinburgh to deliver up their arms at the palace of Holyroodhouſe; and prohibiting the ſoldiers, and others in the Highland army, from moleſting the people, or pillaging their effects, under pain of being puniſhed by martial law, with death, or otherwiſe, according to the offence. A meſſage was ſent to the city, requiring, under pain of military execution, a certain quantity of ſtores for the army, of which payment was promiſed as ſoon as the preſent troubles ſhould be over. They were furniſhed accordingly; and an aſſeſſment of two ſhillings and ſixpence upon the pound was impoſed on real rents within the city and liberties of Edinburgh, for defraying that expence.

Upon the 20th, the young Pretender and his followers marched 20.
from their camp near Dudingſton, in queſt of the King's forces. Theſe conſiſted † of about three thouſand foot and dragoons, well ſupported with artillery, who were, by this time, encamped in the neighbourhood of Preſtonpans. The Pretender's forces were nearly of the ſame number. But they were a body of ragged, undiſciplined, half-armed Highlanders, without cavalry or artillery. Thoſe who

* Maitland's hiſt. p. 128.; Scots magazine, v. 7. p. 438. † Maitland's hiſt. p. 129.; Scots magazine, v. 7. 439.; Smollet's hiſt. v. 11. p. 218.

1745. who viewed them, looked upon them with compaſſion, as a ſet of unhappy people, devoted to immediate deſtruction. Both armies lay all night upon their arms. Early next morning, the Pretender's army attacked the King's, which, in leſs than ten minutes, they to-
Sept. 21. tally routed. All the infantry were either killed or made priſoners. The baggage, artillery, and military cheſt, became the prize of the Chevalier, who returned in triumph to Edinburgh; and a ſtriking, yet by no means ſingular, example was left of the uncertainty of the fate of battle.

The Chevalier bore his good fortune with moderation. His followers obſerved a decorum which could hardly have been expected from a victorious army of mountaineers. The priſoners were liberated upon their * parole, (which, however, they afterwards broke.) The eſtabliſhed clergy were deſired to continue the celebration of public worſhip, as uſual; but which, for reaſons beſt known to themſelves, they all declined, except the morning lecturer in the Tron-church, and the miniſters of the *Weſt-kirk*, who continued to pray for King George by name, and to recommend loyalty to him, without receiving any diſturbance. None of the inhabitants were either killed or wounded by the Highlanders, during their ſtay in the neighbourhood. Scarce were there any pillaged. Some villains having put on white cockades, and, under theſe badges, robbed the inhabitants, one of them was condemned by martial law, and ſhot. And, ſuch was the ſimplicity of theſe poor Highlanders, that, it is ſaid, ſome among them preſented their pieces at paſſengers, and, upon being aſked what they wanted †, anſwered, '*a penny*,' with 'which they went away ſatisfied.'

Although the Highland army kept guards at the Weigh-houſe, and other avenues to the caſtle, yet neither the army nor the city ſuffered any diſturbance from that fortreſs till the 25th, when the
Sept. 25. ſcrambling of goats upon the rocks, or ſome ſuch noiſe, alarmed the garriſon; upon which a number of cannon pointed againſt the High-land

* Scots magazine, v. 7. p. 441.; Smollet's hiſt. v. 11. p. 219.; Maitland's hiſt. p. 129.

† Scots magazine, v. 7. p. 442.

land guard at the Weſt-port * were diſcharged, which, however, did very little damage. Upon the 29th orders were given to the Highland guard at the Weigh-houſe to prevent all intercourſe between the city and caſtle. The governour of the caſtle, dreading that the garriſon might be ſtraitened for proviſions, ſent a letter to the Lord Provoſt, intimating, that, unleſs a free communication between the city and caſtle was preſerved, he would be under a neceſſity of diſlodging the Highland guard by artillery. 1745.

A deputation from the city was thereupon ſent to the Pretender, informing him of the danger with which it was threatened. He anſwered, by expreſſing 'his concern at the barbarity of an order 'for bringing diſtreſs on the city, on account of what it was not in 'its power to prevent: That, ſhould he, out of compaſſion to the 'city, remove his guards from before the caſtle, he might, with e-'qual reaſon, be required to abandon the town: That, in the mean 'time, he would make reprifals on the eſtates of thoſe within the 'caſtle; and that, in the end, he would give the city ample indem-'nification.' The deputies from the city waited on the governour of the caſtle, and obtained a reſpite from the threatened cannonading for a few days. But, upon the ſentinels firing at ſome people who Oct. 1. were carrying proviſions into the garriſon, ſeveral great guns were diſcharged from the caſtle, which damaged the houſes, and wounded the perſons of the citizens; and, any intercourſe between the city and garriſon being prohibited, the latter began a ſevere cannonading, which filled the city with affright and tumult. Houſes were ſet on Oct. 4. fire, the ſtreets were ſcoured with cartridge-ſhot from field-pieces placed on the Caſtlehill; the inhabitants were buſied in removing their moſt valuable effects, and their infirm relations, from the reach of theſe engines of deſtruction. Many people who lived in places where there was no hazard, affected with the general panick, fled with their effects they knew not whither. The firing continued next day; and ſeveral inhabitants being killed and wounded, the Chevalier

* Scots Mag. v. 7. from p. 442. to p. 445. ib. p. 491. Maitland's hiſt. p. 130. 131.

1745. Chevalier iſſued a proclamation in the evening, which he next day publiſhed, ſetting forth 'the infinite regret he felt at the many murders committed upon the inhabitants by the commanders of the garriſon; that he might juſtly proceed, agreeable to his threatenings, to execute repriſals upon the eſtates of his enemies; but he thought it no diſgrace to ſuſpend puniſhment, or alter a reſolution, when thereby innocent lives could be ſaved; therefore the blockade of the caſtle was taken off, and the threatened puniſhment ſuſpended.' After this proclamation the cannonading was ſtopped.

Thus did the city of Edinburgh feel, what will ever be the caſe, that the caſtle cannot contribute to its ſecurity, but may become the engine of its deſtruction.

Oct. 31. The Chevalier marched for England, with an army of about ſix thouſand men. He beſieged Carliſle in the beginning of November; and in three days it ſurrendered. He afterwards took his route for Mancheſter, where he was joined by about two hundred men, and penetrated to Derby. Here he pauſed. He and his followers were much diſappointed, at getting no adherents in England, except the few who had joined them at Mancheſter. His troops had ſuffered the inconveniency of marching * in that rigorous ſeaſon, through a country which appeared generally hoſtile. A powerful army, which the King himſelf was determined to head in perſon, lay between him and London. Another lay behind him, and might intercept his retreat to the North. Murmurs were heard in his camp, and diſtraction had ſeized his counſellors. A council of war was held; and, after violent diſputes, an immediate retreat was reſolved on.

Prince Charles accordingly abandoned Derby, and retreated to Scotland, before an haraſſing enemy, with a celerity and good order almoſt unparalleled: Neither plundering the country, nor leaving the ſick, the ſtragglers, nor artillery to the enemy. He defeated the King's

* London Mag. vol. 14. p. 565. 607. 615.; Smollet's hiſtory vol. 11. p. 224. 229.

King's forces, commanded by General Hawley, at Falkirk *. His army then proceeded to beſiege Stirling caſtle; but, as they failed in the enterpriſe, and, as the royal army, commanded by the Duke of Cumberland, was in purſuit of them, they retired precipitately to the north. 1746.

In the courſe of their retreat, the Pretender's followers gained ſome trifling advantages over certain parties of the King's forces; but theſe, by no means, counterbalanced the loſſes the rebels ſuffered in their retreat. The Duke of Cumberland had ſecured the paſſes at Perth and Stirling; the country through which they marched was exhauſted; a ſloop of war, with a conſiderable ſupply of money and arms from France, for the uſe of the Pretender, was taken; and the royal army was in cloſe purſuit of them.

From the 18th of March, the rebel army had received no pay, but ſubſiſted chiefly upon oat-meal, and that not in ſufficient quantity; ſo that, although harraſſed with fatiguing marches, the ſcantineſs of their proviſions compelled them to give battle to a ſuperior army. March 18.

On the 16th of April, the royal army, after a march of nine miles, came up with the rebels. Theſe they found about ſix thouſand ſtrong, drawn up in order of battle on the field of Culloden. The King's forces, which were more numerous, were diſpoſed in excellent order by the Duke of Cumberland, who, in the whole conduct of the engagement, diſplayed the qualifications of an able general. The royal army, too, was ſupported with ten field-pieces; but the artillery of the rebels were leſs numerous, ill ſerved, and ill pointed. The cannonading began about one in the afternoon; and the rebels, impatient at being galled by the royal artillery, marched on to the attack, and charged the King's forces with their uſual impetuoſity. The left wing was ſtaggered with the fury † of their aſ- April 16.

 fault;

* Scots Mag. vol. 8. p. 40. 48.; Smollet's Hiſt. v. 11. p. 231. 235. † Scots Mag. v. 8. p. 185. 188. 194.; London Mag. v. 15. p. 210.; Hiſtory of the rebellion, p. 186. 188. 202. 226. 232.; Smollet's Hiſt. v. 11. p. 240.

1746. fault; but two battalions advancing from the ſecond line, quickly repulſed them. At the ſame time, Hawley's dragoons, and the Argyleſhire militia having pulled down a park-wall which covered the right flank of the rebels, attacked them ſword in hand, and compleated their confuſion. In no quarter of the battle, but the left wing of the royaliſts, had the rebel army ever made any impreſſion. The French auxiliaries ſtood inactive during the whole engagement; and an entire body of highlanders avoided the ſhock of battle by retreating in good order. A total rout enſued. The conquerors, exaſperated againſt the enemy by national antipathy, political prejudices, and the diſtreſſes which they had hitherto ſuffered from the triumphant banners of the north, ſullied the glory of victory by their cruelties towards the vanquiſhed. Two thouſand of the rebels fell in the field of battle. For, in this engagement, among the vanquiſhed, *there were no wounded*; ſuch as were not killed outright in the hour of battle, either periſhing for want of aſſiſtance, or by more poſitive acts of barbarity. A pretended order of Prince Charles to give no quarter, ſaid to have been found in the pocket of a rebel, was trumped up as an apology for theſe cruelties. Of the royal army fifty were killed, and about five times that number wounded.

By this victory the rebellion was compleately extinguiſhed. It was indeed ſo deciſive, as, by allaying the apprehenſions, might have mitigated the ſeverities of government. The vanquiſhed prince was fled. For five months he underwent a ſcene which was but one tiſſue of hardſhips, perils, and miſeries. Beſet by numerous parties by land; the coaſts ſtrictly guarded; the places of his concealment known to many in the loweſt paths of fortune; and a price of thirty thouſand pounds on his head, might have been thought to have precluded the poſſibility of his eſcape. Yet none of his enemies diſcovered his retreat; none of his confidents * betrayed it; and he at length got ſafe to the continent.

The

* One of thoſe poor Highlanders who were privy to his retreat, abhorring treachery to his prince, diſdaining the price of blood, and deſpiſing his own danger, kept ſacred his important truſt; yet was afterwards hanged for ſtealing cattle. Upon his condemnation, he

The rebels were ſcattered in ſmall parties, anxious for nothing but to provide for their ſafety, by the obſcurity of their concealment; a precaution, which, in that part of the country, was found neceſſary to be taken by all who were ſuſpected of attachment to the houſe of Stuart. The Highlands were given up to all the horrours of a conquered country. 1746.

Orders were publiſhed by the Duke of Cumberland, and read from* the pulpits, commanding all who had been in the rebellion to deliver up their arms; and all who had in their poſſeſſion, or could make diſcovery of any arms or effects belonging to the rebels, inſtantly to deliver them up, or to make ſuch diſcovery, under pain of military execution. At the ſame time, the ſheriffs and other inferior judges, were ordered to make ſtrict ſearch after thoſe who had been in the rebellion, and had not delivered up their arms, and all who had harboured or entertained them, and to commit them to priſon for trial. *To which effect, the judges and officers were commanded to take information from the preſbyterian miniſters of the lurking places of the rebels.*

The Duke, with his army, marched to Fort Auguſtus, and detached parties were ſent over all the country to hunt down the rebels. Numbers were hanged without ceremony, by orders from the general officers, as ſpies, deſerters, or rebels. The houſes of the Highland chiefs were plundered and burned: Nay, through a large tract of country, every village and hovel ſhared the ſame fate; and

he addreſſed the audience in earſe, contraſting what he deemed a peccadillo with his fidelity to his Prince; and drew tears from all who underſtood him. Where were the generoſity, where the clemency of the judge and jury, when this man was not recommended to mercy? But the fault was not theirs. The complexion of the times rendered ſuch recommendation dangerous. As the priſoner's manner was inſolent, one of the judges expreſſed pity for him, as having no ſenſe of his guilt, no behaviour ſuitable to his unhappy ſituation; he replied, 'Pity me, my Lords! No.—You and all preſent are more to be pitied.—You are all under ſentence of death; but you have not my advantage, to know the hour of your execution.' The Counſel for the crown, who is now upon the bench, exerted in vain his endeavours to procure him a pardon.

* Regiſter of the General Aſſembly, MS. A. D. 1746.; Scots Mag. v. 8. p. 230.

in ſome * of them, the miſerable families periſhed in the flames. The cattle were every where taken away, and brought to the Duke's army, ſometimes to the amount of 2000 in a drove. Every ſpecies of proviſion was carried off; ſo that many who were not conſumed by fire nor ſword, periſhed by famine. Upon Lord George Sackville's pitching his tent between Fort Auguſtus and Badenoch, whenever the ſmoak appeared, children flocked in crowds, and greedily licked up the blood, and devoured the dung, which fell from the entrails of the ſlaughtered cattle. The officers, touched with compaſſion at a ſight ſo ſhocking to humanity, made the ſoldiers raiſe huts for the children, where the officers ſupplied them till the camp was removed, giving them the bread which they themſelves ſhould have eat.

While theſe things were tranſacted in the field, the cabinet and the courts of juſtice were not unemployed. An act of attainder of high treaſon†, was paſſed againſt three lords and forty gentlemen. The Earl of Kilmarnock, the Lords Lovat and Balmerino, and the titular Earl of Derwentwater, were beheaded. Upwards of ſeventy gentlemen, and perſons of inferior rank, were drawn, hanged, and quartered; beſides thoſe who were hanged without trial in the north. About a *thouſand were tranſported to America*; and forfeitures took place to a conſiderable amount; ſo that, (at leaſt ſince the conteſt between the houſes of York and Lancaſter) no ſuch ſcene of blood and proſcription had ever followed any rebellion in Britain.

Among the unhappy ſufferers, the fate of the titular Earl of Derwentwater, and that of Doctor Archibald Cameron, brother to the Laird of Lochiel, were particularly ſevere. The former had been engaged in the rebellion 1715, as well as his elder brother the Earl of Derwentwater. Both were condemned; the former eſcaped, the latter was beheaded. From that time the titular Earl had never ſet foot in the Britiſh empire, till at the diſtance of thirty years. He was taken at ſea, on board a French veſſel; and, being brought to London,

* Scots Magazine, v. 8. p. 285. 287. 288.

† Geo. II. an. 19. c. 26.

London, was, upon a proof of his identity, ordered for execution. Dr Cameron had been concerned in the rebellion 1745. He had never been apprehended nor brought to trial; but an act of attainder of high-treaſon had paſſed againſt him, as well as many others, A. D. 1746. His brother Lochiel being dead, Dr Cameron came to Scotland, A. D. 1753, to take charge of ſome pitiful remainder of eſtate, belonging to the orphans his nephews. He was apprehended, carried to the Tower of London; ſentence of death was paſſed upon him, on his admitting himſelf to be the perſon mentioned in the act of attainder. He was denied the uſe of pen, ink, and paper. His wife, upon her firſt attempt to deliver to the King a petition, in behalf of her unfortunate huſband, was incapacitated by falling into a fainting fit; but, having afterwards preſented petitions to the King and royal family, ſhe was ſhut up along with her huſband, that the King and nobility might not be diſturbed with further interceſſions. Doctor Cameron himſelf was dragged on a ſledge to Tyburn, where he behaved with magnanimity and reſignation, was hanged, his head cut off, his heart torn out and burned *.

Among the moſt ſingular trials conſequent upon the rebellion, was that of Archibald Stewart, Eſq; (Lord Provoſt of the city of Edinburgh, when the rebels entered it) for 'neglect of duty, miſbehaviour in public office, and violation of the truſt and duty of his office.'

Mr

* The *hiſtorian* of his own times, or of times lately remote, which have not been deſcribed by former writers, muſt neceſſarily be *his own voucher*. Nor does this give opportunity for an erroneous repreſentation of facts, ſince the matters treated of being recent, it is in the power of innumerable living witneſſes to expoſe and contradict any miſrepreſentation. It is clear, that the authors of the periodical publications, after the extinction of the rebellion, *durſt not* exaggerate the ſeverities of government: Beſides, they gave an account of matters which were for the moſt part notorious. But we have not reſted upon their authority; where authentic records could be obtained, we had recourſe to them; where they could not, we only adopted ſuch narratives as we were compleatly ſatisfied to be true, from the corroborating teſtimonies of perſons of unqueſtionable veracity, and reſpectable character, by whom we have been favoured with information of ſome particulars concerning the rebellion, not formerly publiſhed. London Mag. v. 15. p. 358. 369. 370. 408. 423. 532. 545. 589. 643. vol. 16. p. 108. 155. 242. Scots Mag. vol. 15. p. 157. 250. 657.

1746. Mr Stewart went to London in November 1745. Immediately upon * his arrival, he ſent notice of it to one of the ſecretary's of ſtate. He underwent a long examination before the cabinet-council, and was committed to cuſtody; from which he was liberated upon the 23d January 1746, after finding bail to the extent of L. 15000, to appear before the court of juſticiary at Edinburgh.

Whether it was that government thought Provoſt Stewart really culpable in not holding out the extenſive and crazy walls of Edinburgh againſt a victorious army, in oppoſition to the inclination of the inhabitants; or whether they meant to intimidate the diſaffected, by the ſtrictneſs of their proceedings, we ſhall not determine. Provoſt Stewart was brought to trial; and the court 'found it re-
Aug. 6. 'levant to infer the pains of law, that the pannel †, at the ‡ time 'and place libelled, being then Lord Provoſt of the city of Edin-'burgh, wilfully neglected to purſue, or wilfully oppoſed or ob-'ſtructed, when propoſed by others, ſuch meaſures as were proper 'or neceſſary for the defence of the city againſt the rebels, in the 'inſtances libelled, or ſo much of them as do amount to ſuch wilful 'neglect.' After various procedure, the court and jury being met, began to examine witneſſes on the morning of the 27th of October; and, after the longeſt trial recorded in the books of juſticiary, the
Nov. 2. jury, on the 2d of November, returned their verdict, unanimouſly finding the priſoner not guilty ‖.

From this trial certain incidents originated, expreſſive of the tyranny which the ruling party exerted over the country. An article appeared

* Scots Magazine, v. 7. p. 585. v. 9. p. 327. 328. † Pannel is a term in the Scots law, denoting a perſon who is undergoing a criminal trial. ‡ Records of juſticiary, 27th October, 2d November, 1747.

‖ The court and jury met on the morning of Tueſday 27th October. About one of the morning of Thurſday the 29th, the jury prayed for a delay of the trial, on account of their utter incapability to finiſh it without a reſpite. The court allowed them to retire till eleven of the forenoon, on conſent of the parties, then to return under penalty of L. 500 each. They came back accordingly, and pronounced their verdict upon the evening of Saturday the 21ſt, which they returned on Monday the 2d of November, having ſat in whole ninety-four hours.

appeared in the news-papers, ſetting forth, that ſome of the moſt conſiderable inhabitants of Edinburgh, willing to pay a ſmall acknowledgment of their gratitude to their late Lord Provoſt and worthy repreſentative in parliament, for the ſervices done by him to the city, had reſolved to congratulate him upon this occaſion of his character and conduct being vindicated, by the unanimous voice of his country. For this purpoſe, they invited Provoſt Stewart's well-wiſhers to meet them next evening in Baxter's hall.

The Scottiſh rulers taking umbrage at this mark of exultation, or conceiving apprehenſions from the meeting, reſolved to prevent it. A conſultation was held between the Lord Juſtice-clerk, the Commander of the forces, and the Lord Provoſt of Edinburgh; the reſult of their deliberations may be collected from the following article which appeared in the news-papers. After informing the public that there had been a meeting of people in *the Duke's head-tavern*, to commemorate the birth-day of King William, *ſo numerous that the houſe could not contain them*; it is added, the intended meeting of Provoſt Stewart's friends did not hold. The reaſon of it is ſubjoined: 'The Lord Provoſt was adviſed that he might lawfully 'forbid ſuch a meeting, and declared his reſolution not to ſuffer it; 'and we are informed, that Mr Stewart and his friends laid aſide 'the deſign *.'

Previous to the trial of Provoſt Stewart, a ſpecies of triumph had been exhibited at Edinburgh, which diſplayed, in no brilliant characters, the magnanimity nor modeſty of the victor †. Fourteen of the Pretender's ſtandards were brought to Edinburgh; and, by the Duke of Cumberland's command, thoſe banners which had ſpread terror over great part of the iſland, were burnt with every ‡ mark of contempt and ignominy.

The

* Caledonian Mercury, No. 4222. 4223.; Edin. Courant, 3d and 5th November 1747. For another incident that originated from Provoſt Stewart's trial, ſee Book III. Chap. IV. † London Magazine, v. 15. p. 314. 1746, June 4.

‡ The heralds, trumpeters, &c. eſcorted the common executioner, who carried the Pre-

The court ſeem to have entertained a jealouſy of the unſurmountable averſion of the Highlanders to the eſtabliſhed government, and thence to have embraced a reſolution to cruſh their ſpirit, and exterminate their power. Beſides the conſiderable eſtates in the Highlands which were forfeited and annexed to the crown, important laws were eſtabliſhed, which entirely altered the civil conſtitution of the country. Not only the nobility, but the chieftains and proprietors of antient eſtates, poſſeſſed a juriſdiction over their vaſſals, and all within their territories, in cauſes both civil and criminal. Theſe eſtates were called *Baronies**; and, in thoſe of conſiderable note, the royal charter erecting and veſting them generally extended the criminal juriſdiction to the power over life. By the feudal law, the vaſſals were obliged to follow their Lords into the field. By the clanſhips which prevailed in the Highlands, theſe vaſſals were, for the moſt part, of the ſame name and *blood with* their Lord; *their names* perpetuating the memory of their deſcent, and exciting the moſt paſſionate attachment to their chief. Thus, a fabric was reared of the moſt ſolid and dangerous ariſtocracy. The barons, by their poſſeſſions, could indulge themſelves in a hoſpitality which was extremely acceptable to their vaſſals. By clanſhip, they were the object of their vaſſal's affection. Their powerful juriſdiction, joined to their diſtinguiſhed rank, impreſſed their dependants with reverential awe; and the feudal tenures and cuſtoms required them to follow the ſtandard of their Lord.

A ſyſtem ſuch as this was adverſe to civilization of manners, and inconſiſtent with a regular ſubmiſſion to the eſtabliſhed government. Cromwell, whoſe extenſive views and profound judgment ſwayed with harmony and glory an empire of which he was the uſurper; an

tender's colours, and thirteen chimney-ſweepers who carried the reſt of the colours, from the caſtle to the croſs. There they were burnt, one by one, an herald always proclaiming the names of the commanders to whom the reſpective colours belonged.

* Baro dicitur, qui gladii poteſtatem habet, id eſt, imperium merum; apud nos *furcas et foſſas* nomine ſignificamus. Craig, De feudis, lib. 1. dieg. 12. ſec. 16.

an empire whoſe legal monarchs, when miſled by diſtracted and pernicious counſels, have ſometimes let drop from the pinnacle of glory to the brink of deſtruction, perceived the incompatibility of this ſyſtem with a regular government, and aboliſhed it. It was replaced at the reſtoration; and one of the fortunate circumſtances which flowed from the ſuppreſſion of the late rebellion, was the obvious political expediency of aboliſhing the *heritable juriſdictions*. Accordingly, (except the office of Lord High Conſtable), they were* all aboliſhed; and the ſubjects, inſtead of reſorting to the courts of their reſpective ſuperiors, were obliged to ſue for juſtice before the inferior judges appointed by the King. The Lords of juſticiary were at the ſame time appointed to hold, twice in the year, circuit-courts, through the different quarters of the kingdom, for taking cogniſance of the deeper treſpaſſes againſt the criminal juriſprudence.

But on that ſtatute is exhauſted all the applauſe we can beſtow upon the meaſures of government, after the extinction of the late rebellion. Had the nation been ſubjected to a foreign yoke, it is difficult to conceive that more rigorous laws could have been impoſed upon the vanquiſhed people, than the other ſtatutes enacted upon this occaſion. Theſe chiefly reſpected arms, dreſs, and religion.

An act which had been paſſed in the reign of George I. diſarming all the northern counties, an act which breathed a jealouſy that could not fail to irritate the objects of ſuſpicion, was renewed with additional ſeverities. No perſon was allowed to bear, or have arms † in his poſſeſſion, unleſs he was poſſeſſed of a freehold qualification, entitling him to be elected into parliament. It was provided, that even ſuch qualified perſons ſhould not be allowed to keep more than two muſkets, two pair of piſtols, and two ſwords. Perſons having warrant from the King, or the Lord Lieutenants ‡ of the diſarmed

* Stat. Georgii II. anno 20. cap. 43. † Stat. Geo. I. an. 1. cap. 54. Geo. II. an. 19. c. 39. ‡ This ſtatute was paſſed before the act aboliſhing the heritable juriſdictions.

counties, were authoriſed, in their ſearch for arms, to enter houſes by night or day, and in caſe of oppoſition, were indemnified for any ſlaughter they ſhould commit upon the occaſion.

The ſtatute even deſcended to the article of dreſs. From a peruſal of this act, one would be led to conclude, that the government trembled at the figure of tartan, or ſhape of a philibeg. The garb which the Caledonians had worn from the earlieſt ages of their nation; the garb to which they were attached by the affection which is natural towards the peculiarities of one's native country, and for the objects to which one has been habituated from his earlieſt years, was prohibited, both as to *ſtuff and ſhape*, and, of courſe, a ſtop put to almoſt the only ſpecies of manufacture in the country. To wear a philibeg, of any ſort, or a coat, or great coat, made of tartan, ſubjected the wearer, whether *man or boy, upon being convicted by the oath of one witneſs, before any juſtice of peace, to impriſonment, without bail, for ſix months. But, for the ſecond offence, to baniſhment, for ſeven years, to any of the foreign plantations.*

By the ſame ſtatute, it was provided, that no perſon ſhould teach *Engliſh*, *Latin*, or any part of literature, in private ſchools, or as chaplain or tutor in any family, unleſs, in the firſt caſe, he had entered the ſituation and deſcription of his ſchool in a public regiſter, and, in both caſes, had taken the oaths to government. In either caſe, the ſchoolmaſter, or chaplain, as well as the parents of the children ſo put to ſchool, were ſubjected to rigorous penalties.

In all the counties beyond the Tay, a vaſt majority of the nobility and gentry were of the epiſcopal, or popiſh perſuaſions; and many among the commonality adhered to the one or other of theſe religions. Even in the county of Fife, which, in the reign of Charles II. and of his brother, was deemed fanatic, a great majority of the gentry were of the epiſcopal communion.

As for popery, the laws which were enacted againſt it at the reformation, were, from time to time, renewed with increaſing rigour, (though perhaps dictated by political neceſſity), till they arrived

rived at a moſt ſanguinary pitch of perſecution. Thoſe who celebrated, or heard maſs, were ſubjected * to a capital puniſhment. Not to diſclaim popery upon oath, ſubjected the recuſant to baniſhment. A premium was appointed by law for informers; and papiſts were declared incapable of ſucceeding to, or purchaſing any heritable property whatever.

By another law, the exerciſe of the epiſcopal religion was, in effect, debarred from all who entertained, in their breaſt, a favourable notion of the right of ſucceſſion in the houſe of Stuart. For, to prohibit a religion abſolutely, and to make a ſolemn profeſſion of certain political tenets an indiſpenſible requiſite to the exerciſe of it, are, to all thoſe who do not acknowledge thoſe political tenets, in effect, preciſely the ſame. Previous to the rebellion 1745, epiſcopal meeting-houſes were tolerated. Thoſe who frequented them were not harraſſed with the impoſition of oaths, or otherwiſe; and ſo little were they obnoxious, that there are inſtances, in certain of the northern boroughs, of the Magiſtrates having gone to them diſtinguiſhed with the enſigns of office. An act was paſſed, commanding all epiſcopal clergymen, at every time they celebrated worſhip before more than five people, to pray for the King and royal family by name, as directed in the liturgy. Tranſgreſſions againſt this ſtatute ſubjected the clergyman †, for the firſt offence, to impriſonment for ſix months; for the ſecond, to baniſhment during life to America. The hearers, beſides being diſqualified from voting in the election of parliamentary repreſentatives, were, for the firſt offence, ſubjected to a penalty of five pounds; but, for the ſecond, to impriſonment for ſix months. This was an exertion of tyranny over the mind which even Charles II. did not preſcribe to the covenanters. Many clergymen were accordingly thrown into jail. Indeed, upon the firſt extinction of the rebellion, legal ſeverities againſt nonjuring epiſcopals were quite unneceſſary, the ſoldiery and the mob burning their meeting-houſes, and thoſe of the papiſts; and harraſſing the epiſcopal clergymen ſo ſeverely, that

* Kaims's ſtatute law abridged, *voce* Papiſt. † Geo. II. an 19. cap. 38.

none of them durſt live in their own houſes for a twelvemonth after the rebellion. Even ſo late as the year 1755, an epiſcopal clergyman * was proſecuted at the inſtance of the Lord Advocate upon this ſtatute, and upon an act of Charles II. againſt clandeſtine marriages †, and baniſhed for life.

* * * * * * *

This rebellion, however, was in many reſpects fortunate for Scotland. It annihilated the conteſt for the throne, urged between the poſſeſſor, inveſted by the authority of parliament, and the houſe of Stuart, claiming in virtue of hereditary right. Beſides the happy effects

* Records of the weſtern circuit court of juſticiary, 10th and 11th April 1755; Scots magazine, v. 17. p. 207. 209.

† This laſt ſtatute was wreſted in a manner ſingularly groſs and infamous, in order to accompliſh this poor man's deſtruction. He was firſt impriſoned upon the act for prohibiting epiſcopal miniſters from celebrating public worſhip, without praying for the King. But, as it occurred to the Lord Advocate, that he could bring him to more condign puniſhment, upon the ſtatute againſt clandeſtine marriages, he ſerved him with an indictment for tranſgreſſing it. This ſtatute had been eſtabliſhed directly with a view to ſupport epiſcopacy againſt ſectaries; then to turn it as an engine of deſtruction againſt that religion which it was meant to protect, was totally inverting its ſenſe. But all the acts in favour of epiſcopacy had been aboliſhed by William and Mary, parl. 1. ſeſſ. 1. c. 5. this conſequently among the number. Further, epiſcopacy behoved either to be the eſtabliſhed region, nor not. If it was the eſtabliſhed religion, the prieſt could not be condemned as unqualified to celebrate marriage. If it was not the eſtabliſhed religion, then it behoved to be ranked among the ſects of nonconformity; now, all laws againſt nonconformiſts were repealed by act 1690. c. 27. Further, all ſorts of ſectaries had been in uſe to have their marriages celebrated without challenge, by their reſpective miniſters. Nay, it is the notorious law of Scotland at this hour, that any civil magiſtrate may pronounce a legal marriage; nay, that the ceremony of marriage is totally unneſſential to its validity. All theſe, notwithſtanding, although urged by the counſel ** for the priſoner, ſuch were the complection of the times, ſuch the public proſecutor, ſuch the judges, and ſuch the jury who were intimidated and dictated to by the judges, that this unfortunate man was ſentenced to perpetual baniſhment. We cannot, without indignation, paſs by ſuch a ſcene of iniquity; and without putting juries in mind, that compliance to the dictates of corrupt judges, is the moſt mortal ſtab that can be given to the lives and properties of Britiſh ſubjects.

** Sir John Dalrymple, Baronet, Baron of Exchequer.

effects which behoved to flow from the abolition of heritable jurisdictions, the erecting of fortifications in the Highlands, with the garrisons which it behoved neceſſarily to be reſiding in, or marching through the country, would gradually diminiſh that antipathy which is conceived againſt every people but themſelves, ſo common to thoſe who have little intercourſe with ſtrangers. As the government has hardly ever drawn any rent from the eſtates which were forfeited, and annexed to the crown, but generally ordered the produce of theſe lands to be applied to the cultivation of the eſtates, agriculture is improved. But the progreſs in this article is by no means ſuitable to the expence of government, whoſe good intentions are in a great meaſure fruſtrated by the ſhameful jobbing and peculation of the factors upon the annexed eſtates. The money alſo which came down to pay the royal army, and the French gold which was ſent over for the uſe of the Pretender, occaſioned a conſiderable influx of wealth into the country.

But the time was drawing nigh, when government was to drop her jealous and barbarous policy; when ſhe was no longer to betray a ſuſpicious dread of her own ſons. The Earl of Chatham aroſe, and with him the glory of Britain. He ſtepped forth with a generous confidence, and courted the affections and ſervices of a people who, ſince the revolution, had uniformly been neglected or oppreſſed. He wiſhed to convert the deadly foe which rankled in the boſom, into one of the moſt active and vital ſupports of the conſtitution. The event juſtified his admirable policy. In the plains of Germany, and wilds of America, the hardy mountaineers, led on by the ſons of thoſe gallant perſons who periſhed in England by the hands of the executioner, have teſtified, by a fortitude of mind correſpondent to the vigour of their conſtitution, that, either in foreign wars, or civil diſſentions, the ſons of the North are as good ſoldiers and loyal ſubjects as any in the Britiſh empire.

To avoid interrupting the detail of national affairs, we poſtponed to mention, in its chronological place, an event reſulting from the rebellion,

bellion, which annihilated, for a time, the exiſtence of the city of Edinburgh, as a body corporate. The time appointed for making the annual election of magiſtrates and council, having happened when the town was under the power of the Pretender, thoſe concerned were ſo intimidated, that they did not proceed to make the election. The magiſtracy and council were exauctorated, by the lapſe of time for which they were choſen to ſerve. Thus from Michaelmas 1745, Edinburgh was devoid of any civil government.

Application having been made to the King for reſtoring its civil government to the town, his Majeſty was pleaſed to grant the citizens their requeſt, by iſſuing an order for their making a poll-election. Agreeably to this order, the incorporations aſſembled at their uſual place of meeting, and choſe their deacons. Public notice was then given, that the election of the magiſtrates, and others of the ordinary council of twenty-five *, was to proceed. Perſons claiming to vote, were ordered to lodge their burgeſs-tickets, at leaſt three days previous to the election, with the city-clerks, who were appointed to officiate at the poll. The burgeſſes polled in the order that they preſented themſelves. It was demanded, if any body had objections to offer againſt their right to vote; and, upon theſe being ſtated, if the caſe was clear, the overſeers admitted or rejected their ſuffrages immediately; but, if dubious, they were admitted to poll in the mean time, and the objections to their votes were marked, that they might be examined in the end, in caſe ſuch conteſted votes ſhould have any influence on the election. The voters then gave in liſts of the twenty-five perſons whom they named as magiſtrates, and other members of the ordinary council; theſe were indorſed by the overſeers, to be afterwards examined at ſumming up the poll. It was begun to be taken on the 24th, and ended on the 26th November, after intimation being made, that the poll was to be concluded; and the perſons preſent being aſked, if they had any objections to its being

Nov. 24. 1746.

Nov. 28.

* Council reg. v. 66 3d January 1747.; Maitland's hiſt. p. 131.

being finiſhed, the overſeers adjourned the meeting till the 28th, againſt which day they declared they would name the perſons choſen by the poll, which they did accordingly; perſons named by the objectors having, in the mean time, been allowed to inſpect the burgeſs-tickets, and give in their objections. 1746.

The overſeers of the poll having returned to the court, a certificate of the election having been regularly made, conform to the warrant iſſued for that purpoſe, the election was confirmed on the 17th of December; and, on the 3d of January following, the council met for the firſt time after the ſtate of anarchy which had, for ſome time, prevailed in the city. 1747.

At this meeting, the members took the government-oaths, and alſo thoſe preſcribed by the acts of council, 5th October 1658, 4th March 1673, and 1ſt October 1678, 'That no provoſt, dean of 'guild, or treaſurer, ſhould be continued in office more than two 'years ſucceſſively; nor bailie more than one.' They afterwards addreſſed his Majeſty upon the ſuppreſſion of the rebellion, and ordered the freedom of the city to be preſented in a gold box to the Duke of Cumberland, to whom they paid abundance of fulſome and abſurd compliments upon the occaſion.

The ſpirit of the citizens of Edinburgh, expanded by the tide of liberality, which flowed through the nation, in conſequence of a ſucceſsful war, and honourable peace, diſplayed itſelf in the extenſion of the city, and in carrying on works of public utility and domeſtic convenience. The improvement of the city became the object of general attention, and of parliamentary encouragement. Pamphlets were publiſhed, plans delineated, national ſubſcriptions opened, and the authority of parliament interpoſed, to promote and execute the laudable ſpirit of improvement, which diſplayed itſelf to the honour of the country. When the flattering proſpect was overcaſt; when the internal commotions of the empire had been productive of difficulties and diſgraces, which prognoſticated more fatal calamities; when the feeble, or miſguided arm of the parent ſtate, 1778.

had

had diſcovered its impotency to quell the diſobedience of the colonies, Edinburgh retained her ſpirit. Anxious to ſupport the conſtitutional connection between the mother-country and her colonies, the citizens of Edinburgh, in January 1778, made an offer to the King, to raiſe a thouſand men for the ſupport of government, which his Majeſty graciouſly accepted. The patronage and liberal ſubſcription of the body-corporate of Edinburgh, of Sir Laurence Dundas, the city's repreſentative, of the individual members of council, and of the citizens at large, aided by the general zeal in ſupport of government, compleated the regiment in four months.

BOOK II.

BOOK II.

CHAPTER I.

Of the Progreſs and preſent State of the City of Edinburgh.

THE city of Edinburgh is ſituated in fifty-five degrees, fifty-ſeven minutes of north latitude, and of longitude three degrees, fourteen minutes weſt from London. The ground upon which it is built is perhaps as ſingular, and in many reſpects inconvenient, as can well be figured. The Palace of Holyroodhouſe, the eaſtmoſt boundary of the city, ſtands on a plain within two miles of the river Forth, from which it riſes by a gradual aſcent of ninety-four feet from the high water-mark. From Holyrood-houſe there begins the narrow point, or, if we may be allowed the expreſſion, the tail of a hill, which gradually, extending itſelf in breadth, riſes in a ſteep and ſtraight ridge, from which its ſhelving ſides decline; the ridge terminating in an abrupt precipice, the ſite of the caſtle, at the diſtance of a mile in length, and one hundred and eighty feet in heighth from Holyroodhouſe.

The ridge of this hill forms a continued and very magnificent ſtreet. From its ſides, lanes and alleys, which are there called *wynds and cloſes*, extend like ſlanting ribs; ſo that, upon the whole, it bears a ſtriking reſemblance to a turtle, of which the caſtle is the head, the high ſtreet the ridge of the back, the *wynds and cloſes* the ſhelving ſides, and the palace of Holyroodhouſe the tail.

The declivity of the hill upon the ſouth is terminated by a level ſtrip, on which the ſtreet called the *Cowgate* is built; thence the ground riſes precipitately to the ſouth, and terminates in a plain.

Upon the north, the deſcent from the high-ſtreet is ſteeper, and more profound. It is bounded by an inconſiderable moraſs, which formerly being overflowed, formed a lake called the *North-loch*, from the north-ſide of which a bank riſes, and ſpreads itſelf into a level field, conſtituting the area of the extended royalty.

It has been already obſerved, that, in the reign * of David II. the city of Edinburgh could not accommodate the numerous train
1346. of nobility which accompanied the French ambaſſador. The continual incurſions of the Engliſh, to which Edinburgh, an unfortified town, lay expoſed, retarded its increaſe. But, by the middle of the fifteenth century, it had grown to ſuch conſideration, that James II. ordained the *court* † *of the* ‡ *four boroughs* to meet there allenarly, in all time coming. That Prince firſt beſtowed on the
1450. community the privilege of fortifying ‖ the city, and ſurrounding it with a wall. He, at the ſame time, impowered the Magiſtrates to levy from the inhabitants a tax proportioned to their poſſeſſions, to enable them to carry this work into execution.

By attending to the line of this wall, and of the extended walls, in ſucceeding periods, we ſhall be able to form a diſtinct idea of the progreſſive extenſion of the city of Edinburgh.

It muſt be obſerved, then, that, when the city was firſt fortified, the town-wall, upon the north, came no further eaſt than oppoſite to, and almoſt directly § north from the preſent reſervoir, or water-houſe, on the Caſtle-hill. Between that and the foot of Halkerſton's wynd, the city was defended by the North-loch; thence to the foot of Leith-wynd, it does not appear how it was fortified, or that it was fortified at all. But, from the foot of Leith-wynd to the Netherbow-port, a continued range of houſes on the weſt-ſide of the wynd, and, after theſe became ruinous **, a wall, erected in their ſtead, formed a ſort of defence.

The

* Book 1. c. 2. † Black on the privileges of royal boroughs, p. 175. ‡ The court which regulated matters concerning the utility of the different royal boroughs. The convention of royal boroughs is come in its place. ‖ Maitland's hiſtory, p. 137.

§ Ibid. p. 138. ** James V. parl. 7. c. 102.

The original wall of the city of Edinburgh deſcribed itſelf in this line. It began at the foot of the north-eaſt rock of the caſtle, and was there ſtrengthened with a ſmall fortreſs adjoining to the rock, the ruins of which, from its vicinity to a ſpring of water, are ſtill known by the name of *Well-houſe-tower*. Thence the wall extended itſelf eaſtwards, having the North-loch upon its north, and the Caſtle-hill upon the ſouth-ſides, till it came almoſt oppoſite to the reſervoir. There the wall took a ſouthern direction, till it came to the top of the hill, where it was interſected by a gate of communication between the town and the caſtle. From this, the wall went ſloping down the * hill in an oblique manner, pointing to the ſouth-eaſt, till it came to the firſt angle in going down the Weſt-bow. Over this ſtreet, there was a port called the *Upper-bow-port*; and, upon the eaſt-ſide of this ſtreet, at the diſtance of about ſix feet from the ground, one of the hooks, upon which the gate hung, ſtill remain in the original wall.

From this port, the city-wall proceeded almoſt ſtraight eaſt, interſecting the preſent alleys leading from the High-ſtreet to the Cowgate, in a line that would have cut off ſome feet from the ſouth-end of the preſent parliament-houſe, and continued in that direction till it came to Gray's, alias the Mint-cloſe, where, upon the eaſt-ſide of the cloſe, nigher to the High-ſtreet than the Cowgate, a part of the town-wall is ſtill to be ſeen. From this, it proceeded, by a gentle turning, to the northeaſt, till it joined with that houſe which forms a projection upon the north-ſide of the High-ſtreet, which ſtill is the *ſouth-weſt corner houſe* of a line of buildings that communicate and connect themſelves with Leith-wynd. There was the original Netherbow-port.

The citizens of Edinburgh, it ſeems, became extremely fond to have their houſes without the royalty, a paſſion which ſtill adheres to

* In Currie's cloſe, an alley about the middle of the Caſtle-hill; a ſmall remainder of this wall is ſtill to be perceived on the weſt-ſide of the cloſe. But ſome entire yards of it remain in a cellar preſently belonging to Bailie William Trotter, lying in a cloſe upon the weſt-ſide of the *Bow*.

to their ſucceſſors. Accordingly, the town-wall was hardly built, ere a ſtreet, ſpacious for thoſe times, ſprung up, the Cowgate. We are informed by a writer of the ſixteenth century, that * the nobility, the ſenators of the college of juſtice, and perſons of the firſt diſtinction, then had their reſidence in the Cowgate. But the fatal overthrow on the field of Flowden, and the conſternation with which it overwhelmed the citizens of Edinburgh, made thoſe who had withdrawn beyond the royalty, extremely anxious to have a
1513. fortified wall, to defend them from the incurſions of the Engliſh.

The extended wall of the city of Edinburgh was, (except in the ſouth-weſt quarter,) the ſame with that which now circumſcribes the antient royalty. Its limits are obvious to the preſent inhabitants; yet it is neceſſary to deſcribe them. This new wall, then, is built cloſe to the caſtle, upon the ſouth-eaſt ſide of the rock. Thence it deſcends obliquely, till it comes to the Weſt-port, from which it aſcends part of the hill called the *High-riggs*, and turning eaſtwards, runs along the north-ſide of the gardens of Herriot's-hoſpital, and croſſing the north avenue leading to that hoſpital, paſſes through the Grayfriars church-yard to Briſto-port. From Briſto-port, the wall runs eaſt, till it is interſected by the Potterrow-port, from which it goes ſouth for a few yards, then turning abruptly, winds its courſe on the ſouth-ſide of the College, the Royal Infirmary, and High-ſchool yards, till it comes to the Pleaſance. There it takes a northern direction, and, after being interſected by the Cowgate-port, the incloſure is compleated by the buildings on the weſt-ſide of St Mary's wynd, till they join the place where the Netherbow-port ſtood. The original Netherbow-port ſtood about fifty yards further weſt than the late one. But that ſituation being found
1571. not well adapted for defence, a new one was built by the adherents of Queen Mary †; and the late handſome gate, which was built a
1606. few years afterwards, interſected the High-ſtreet, immediately above Leith.

* Braun Agrippinenſis de praecipuis totius univerſi urbibus, lib. 3. voce *Edenburgum*.

† Maitland's hiſt. p. 140.

Leith and St Mary's wynds. This port being thought to embarraſs the ſtreet, was pulled down by the Magiſtrates A. D. 1764.

Theſe are the walls which ſtill ſurround the antient royalty, except on the ſouth-weſt, where the magiſtrates * having purchaſed about ten acres of ground, the area which is at preſent occupied by Herriot's hoſpital, the Charity work-houſe, and part of the Gray-friars church-yard, incloſed it, by extending the wall in a circular line from the Weſt-port to Briſto-port. 1620.

It has been already obſerved, that, in the original wall of the city of Edinburgh, there was, on the Caſtle-hill, a port of communication between the town and the caſtle, which, on the extenſion of the ſouthern wall of the city, was removed; that there was another in the *upper, or weſt-bow*, which was pulled down in the memory of many people yet alive, and of which the veſtiges are ſtill to be ſeen; and a third about fifty yards above the head of the Canongate. Whether there were any other ports, or where they were, is leſs material than difficult to aſcertain.

The ports of the extended walls are theſe: The WEST-PORT, ſo named from its being the weſtern boundary of the royalty. It is ſituated at the foot of the Graſs-market. Beyond it lies a ſuburb of the city of Edinburgh, and borough of regality, called Portſborough. This port was built A. D. 1514.

Next to this, on the ſouth-eaſt, is a wicket ſtruck out of the town-wall, A. D. 1744, almoſt ſtraight ſouth from St Giles's church, for the more commodious acceſs to the citizens, and thoſe of the Charity work-houſe, to the public walks in the meadows.

North-eaſt from the wicket, a port, built A. D. 1515, divides the royalty from a ſuburb called Briſto-ſtreet, which gives to the gate the name of BRISTO-PORT. The ſuburbs, both here and in the neighbourhood of the Potterrow, have, of late, been greatly extended and improved; but of theſe more particularly afterwards.

The next outlet from the city to the ſuburbs, is the POTTERROW-PORT, ſituated at the head of the Horſe-wynd. It originally bore the

* Maitland's hiſt. p. 139.

the name of *Kirk of Field-port*, from its vicinity to the church of St Mary in the field. It took its preſent name from a pottery in the neighbourhood.

North-eaſt from this, ſtood a port which has been demoliſhed ſince the middle of the laſt century *, called ST MARY-WYND PORT. This gate commanded the acceſs to St Mary-wynd and the Canongate. It extended from eaſt to weſt, acroſs the foot of the Pleaſance, immediately ſouth from the Cowgate-port. Cloſe to this gate ſtood the COWGATE-PORT, opening a communication from the Cowgate to St Mary-wynd, and ſo to the ſuburb called Pleaſance.

North from the Cowgate, the NETHERBOW-PORT united the city wall from St Mary-wynd to Leith-wynd, ſeparating the high ſtreet from the Canongate. This port, which was built A. D. 1606, was the principal entry to the city. This gate has been rendered remarkable, by a bill having paſſed the Houſe of Lords, for razing it to the ground, when the city incurred the indignation of the court, on account of the *Porteous mob* †. The Netherbow-port was a handſome building, which went quite acroſs the High-ſtreet, and joined with the houſes on either ſide. The gate was in the centre of the building. It was ſtrengthened by towers and battlements, on each ſide fronting the eaſt, and through the ſouthern tower there was a wicket for foot paſſengers. The whole building was two ſtories high; and there was a handſome ſpire in the centre. Upon the increaſe of wheel-carriages, the width of the paſſage was found unequal to the concourſe of people who had occaſion to paſs that way; and, as the building was ſo crazy, that the gate could not admit of an enlargement, there was found to be a neceſſity for removing the whole. It was accordingly, by order of the town-council, pulled down A. D. 1764.

At the foot of Leith-wynd, that avenue to the city was guarded by a gate called LEITH-WYND PORT. Within it there was a wicket, which

* Gordon's map of Edinburgh 1646. † See book 1. c. 6.

A. Runciman del.

A. Cameron Sculp.

A View of the NETHERBOW PORT of EDINBURGH from the West.
This ancient Fabric was taken down 31st of August 1764

which ſtill remains, giving acceſs to Trinity College-church. Theſe, as well as a gate at the foot of Halkerſton's-wynd, lately pulled down, were built about A. D. 1560. Another gate gave acceſs to the Canongate from the eaſt. It extended from St Thomas's hoſpital, (a building pulled down only laſt year), to the Tennis-court, which was burned down within theſe three years. This port is ſtill known by the name of the WATERGATE.

The city, till within theſe few years, has occupied the ſame ſpace of ground upwards of two hundred and fifty years; namely, the entire hill from the caſtle to the palace in length; and in breadth, upon the north, till the termination of the declivity by the north loch; but, upon the ſouth, extending beyond the Cowgate to the top of the hill. In a deſcription of the chief cities in the world, given about the middle of the ſixteenth century, Edinburgh is ſaid to be an Italian mile in length, and half a mile in breadth, which correſponds to the limits we have juſt deſcribed.

But this ſpace was by no means occupied as it is at preſent. It came gradually to be more fully poſſeſſed, till the houſes were crouded together, and piled to a height, perhaps not to be parallelled. Till the reformation, the burying ground of the city of Edinburgh extended from St Giles's-church, over the Parliament-ſquare and back-ſtairs to the Cowgate. At that time, the lands to the ſouth of the Cowgate, were moſtly laid out in gardens belonging to the convent of Black Friars, and church of *St Mary in the Field*, which extended almoſt from the Pleaſance to the Potterrow-port; and from Briſto to the Weſt-port *, the ground was laid out in yards, belonging to the Gray Friars. The magiſtrates applied to, and obtained from Queen Mary, a grant of the Grayfriars-yards to be a burying ground, '*being ſomewhat diſtant from the town.*' This ſpot had, notwithſtanding, been incloſed within the city-wall before that period.

It

* Council reg. v. 4. p. 41.; Braun Agrippinenſis, lib. 3. voce *Edenburgum.*

It appears, by the precautions appointed by James I. to be uſed againſt * fire, that houſes within the borough were not then above twenty feet high, and that they were generally, if not univerſally, covered with thatch or broom. Even † ſo late as the year 1621, it was found neceſſary to prohibit thoſe roofs by acts of parliament.

Till the reign of James V. the meal-market, nay, it would appear ‡, the fleſh-market alſo, were held upon the High-ſtreet; and, till the end of the laſt century ‖, a fleſh-market was kept in the high-ſtreet of the Canongate, immediately below the Netherbow-port.

Theſe, however, are not to be conſidered as arguing any comparative inſignificancy of the city of Edinburgh. They proceeded from the rudeneſs of the times. The writers of thoſe days ſpeak of Edinburgh in terms that ſhow the reſpectable opinion they entertained of it. 'In this city,' (ſays a writer of the ſixteenth century), 'there are two ſpacious ſtreets, of which the principal one, leading 'from the palace to the caſtle, is *paved with ſquare ſtones.* The § 'city itſelf is not built of bricks, but of ſquare free-ſtones; and ſo 'ſtately is their appearance, that ſingle houſes may be compared to 'palaces. From the abbey to the caſtle, (continues our author), 'there is a continued ſtreet, which, on both ſides, contains a range 'of excellent houſes; and the better ſort are *built of hewn ſtone.*' There are ſpecimens of the building of the fifteenth century ſtill remaining, particularly, a houſe on the ſouth-ſide of the high ſtreet, immediately above Peebles-wynd, having ** a handſome front of hewn ſtone, and nitches in the wall for the images of ſaints, which ſufficiently juſtify our author's deſcription.

In all the old houſes remaining in Edinburgh, it is to be remarked, that the ſuperſtition of the times had guarded each houſe with certain cabaliſtical characters, or taliſmans, engraved upon its front. Theſe were generally compoſed of ſome text of ſcripture, of the name

* James I. parl. 4. c. 73. † James VI. parl. 23. c. 26. ‡ James V. parl. 7. c. 103. ‖ Gordon's map of Edinburgh, A. D. 1646. § Braun Agrippinenſis, lib. 3. voce *Edenburgum.* ** This houſe was built about A. D. 1430. No private building in the city, of a modern date, is to be compared with it.

name of GOD, or perhaps of an emblematical repreſentation of the reſurrection. We ſhall here obſerve, that, in the front of a houſe on the ſouth-ſide of the High-ſtreet, a little below Gray's cloſe, there are, in beautiful antique workmanſhip, the heads of the Emperor Severus, and of his conſort Julia. Theſe are ſaid to have been brought from a ruinous houſe on * the north-ſide of the ſtreet, and having become the property of a baker, he was pleaſed to convert them into an *Adam and Eve*. For this purpoſe, he fitted the heads in a ſtone, upon which theſe words are engraved in Gothic characters: '*In ſudore* † *vultus tui veſceris pane A. D.* 1621.' Ever ſince, they have paſſed with the vulgar for our primeval parents.

In the middle of the laſt century, there was not a ſingle court or ſquare in Edinburgh; even the names were utterly unknown. The parliament-ſquare is the oldeſt in the city; to it the inhabitants gave the name of Parliament *Cloſe*. Milne's ſquare, James's court, &c. are of a later date. Argyle's ſquare, and Brown's ſquare, have been built within theſe thirty years. They are the laſt improvements, in conveniency of building, of which any vacant ſpace in the antient royalty could admit.

From confinement in ſpace, as well as imitation of their old allies the French, (for the city of Paris ſeems to have been the model of Edinburgh), the houſes were piled to an enormous height; ſome of them amounting to twelve ſtories. Theſe were denominated *lands*. The acceſs to the ſeparate lodgings, in theſe huge piles, was by a common ſtair, expoſed to every inconvenience ariſing from filth, ſteepneſs, darkneſs, and danger from fire. Such, in a good meaſure, is the ſituation of the *old town* at this hour.

* Maitland's hiſt. p. 169.

† *Thou ſhalt earn thy bread with the ſweat of thy brow.*

CHAPTER II.

OF Churches and Religious Houſes in Edinburgh fallen into Decay—Church of St Mary in the Field, and Monaſtery of Black Friars.—Monaſtery of Gray Friars—Chapel and Hoſpital of St Mary Magdalene—Private Oratory of Mary of Lorraine—Chapel of Holyrood, and Hoſpital of Maiſon Dieu—St Mary's Chapel—Chapel and Convent of Ciſtertian Nuns, and Hoſpital of the Virgin Mary—Hoſpital of our Lady—Chapel of St Ninian—St Thomas's Hoſpital—Chapels of St Mary, of St Roque, and of St John the Baptiſt—Monaſtery of St Catherine of Sienna—Chapels of Knights Templars, of St Leonard and St Placentia—Monaſtery of the Holy Croſs, or Holyroodhouſe—Monaſtery of St Anthony, and Chapel and Hermitage of St Anthony—Church of Reſtalrig—Monaſtery of Carmelite Friars, and Hoſpital of Greenſide—Of the Leproſy, the Plague, the Small-pox, and the Lues Venerea.

THE reformed, in the violence of their prejudices, have generally dwelt upon the pernicious tendency of the inſtitutions of the Romiſh church, without allowing them the advantages which they undoubtedly poſſeſſed. We agree with the reformed, that many of theſe inſtitutions gave encouragement to idleneſs, and, in their corruption, even promoted debauchery. But, at the ſame time, it muſt be allowed, that their general purpoſe was to promote learning, to afford relief to the diſtreſſed, and to encourage the exerciſe of piety, conform to the rites of their ſuperſtition. The lands which were raviſhed from them at the reformation, by the rapacious nobles, were applied to purpoſes far leſs beneficial to the community.

CHURCH

Church of St Mary in the Field, and Monastery of Black Friars.

The moſt conſiderable of the churches in Edinburgh that has fallen into decay, was *the collegiate church of St Mary in the Field*. This was a large and handſome building, in which a provoſt and ten prebendaries officiated. It was probably founded at the ſame time with the monaſtery of *Black Friars*, adjoining to it. This convent owed its inſtitution to King Alexander II. in A. D. 1230. It was built nearly upon the ſame ſpot where the High-ſchool preſently ſtands. The church, again, ſtood upon the ſite of the College. Theſe buildings, with the houſes of the provoſt and prebendaries, and the gardens belonging to them, occupied the whole ſpace on the ſouth of the Cowgate, between the Pleaſance and the Potterrow. The lane called *Black Friars wynd*, which took its name from this religious body, was alſo their property, beſtowed on them by the ſame King. This monaſtery was antiently denominated * *Manſio Regis*, i. e. the King's dwelling-houſe, having been the reſidence of Alexander II. The church has been renowned, by that meeting of Scots eccleſiaſtics being held in it, which was ſummoned by Cardinal Bagimont, the papal nuncio, for aſcertaining the amount of the church-benefices. This valuation, which is ſtill known by the name of *Bagimont's roll*, was made the ſtandard for taxing the Scots eccleſiaſtics at the court of Rome. The provoſt's houſe has been rendered infamous by the murder of King Henry. Another celebrated building belonging to the Black Friars, was an epiſcopal houſe of the Archbiſhop of St Andrews. The remains of it are ſtill to be ſeen in the ſouth-eaſt corner houſe of Blackfriars-wynd.

This monaſtery was burned down A. D. 1528. It was hardly rebuilt at the reformation, when the eccleſiaſtics were ſtripped of all their

* Braun Agrippinenſis, voce *Edenburgum*; Keith's catalogue, p. 269. 270.; Maitland's hiſt. p. 23. 29. 182. 356. 357.

poſſeſſions. The provoſt of the college ſold his intereſt in the lands to the magiſtrates of Edinburgh, for the purpoſe of building a college. They afterwards obtained from Queen Mary, a gift of all the religious houſes and chapels in the city of Edinburgh, with all the lands and revenues belonging to them in any part of the kingdom; and particularly the lands belonging to the Black Friars, for the purpoſe of building an hoſpital, and ſupporting their poor. The magiſtrates, conceiving that they might erect an hoſpital more advantageouſly elſewhere, obtained a charter from James VI. whereby they were not only indemnified for not building an hoſpital upon the Black Friars lands, but alſo were empowered to diſpoſe upon them, and to apply the feu-duties, or purchaſe-money, towards building and endowing an hoſpital at *Trinity College-church*. The lands belonging of old to the church of St Mary in the Field, and monaſtery of Dominicans *, or Black Friars, are now principally occupied by the College, High-ſchool, church of Lady Yeſter, Royal Infirmary, Surgeons-hall, and their reſpective environs.

Monastery of Gray Friars.

James I. who endeavoured, by ſalutary laws, and encouragement to learning, to civilize the nation, eſtabliſhed the monaſtery of *Gray Friars*. For this purpoſe he wrote to the Franciſcans of Cologne, in Germany, deſiring them to ſend ſome of their brethren into Scotland, for the propagation of piety and learning. In conformity to the King's requeſt †, they ſent *Cornelius* of *Zuritch*, a man of reputation, and ſome others of their order. A houſe was prepared for their reception, ſo magnificent for the times, that the *friars*, in their humility and ſelf-denial, declined to lodge in it; nor

* A ſmall part of thoſe religious buildings ſtill remains, fronting the College-wynd to the eaſt. It is now converted into a brewery. Over the gate this motto is inſcribed in Saxon characters, *Ave Maria, gratia plena, Dominus tecum.*

† Keith's Cat. p. 275. Council reg. v. 4 p. 6.

nor was it without difficulty, that the repeated entreaties of the Biſhop of St Andrews prevailed on them to accept ſuch ſpacious accommodation. This monaſtery was ſituated on the ſouth-ſide of the Graſs-market, nearly oppoſite to the *Weſt-bow*. Divinity and philoſophy were conſtantly taught in it, till the demolition of the convent at the reformation. The Gray Friars were accommodated with ſpacious gardens, long ſince converted into a public cemitery.

Chapel and Hospital of St Mary Magdalene.

Eaſt from the convent of Gray Friars, there was an hoſpital called *Maiſon Dieu*; but the time and nature of the foundation cannot now be aſcertained. By the beginning of the ſixteenth century, it had become ruinous; for, about that time, a citizen of Edinburgh, of the name of Macqueen, erected, on the ſide of its ruins, *a chapel and hoſpital*, dedicated to *St Mary Magdalene*. This foundation was deſigned to accommodate a chaplain and ſeven poor men. It was endowed with a pityful annuity, payable out of certain lands; and the whole veſted in truſt, for theſe purpoſes, with the corporation of hammermen. The funds of this hoſpital are now applied towards the ſupport of the poor of that corporation.

Private Oratory of Mary of Lorraine.

On the north ſide of the Caſtle-hill, in Blythe's cloſe, is an old building which had been erected for a lodging-houſe, and private oratory for Mary of Lorraine, Queen Dowager of Scotland. Over the door are inſcribed in Saxon characters, 'Laus et honor Deo,' and the cypher of *Maria Regina*. On the ſame ſide of the ſtreet, in Tod's cloſe, there was another private oratory of a mean appearance: In both theſe, the baptiſmal fonts are ſtill remaining. Nigh the Weigh-houſe, on the ſouth ſide of that ſtreet, there is alſo a building which has been ſet apart for devotion. Another, adapted

to

to the ſame pious purpoſe, is to be found in Brown's cloſe, on the north-ſide of the High-ſtreet, oppoſite to the Tolbooth. We doubt not, but that many more of the preſent dwelling-houſes in Edinburgh, have formerly been conſecrated to religious purpoſes; but to diſcover them would be much leſs material than difficult; for, at the revolution, the mob not only ranſacked and deſpoiled the chapel royal, but alſo rifled the houſes, and defaced the chapels of all the Papiſts in Edinburgh, and ſix miles round *.

Chapel of Holyrood, and Hospital of Maison Dieu.

In the lower part of the Old Church-yard of St Giles, preſently called the *Back-ſtairs*, ſtood the chapel of *Holyrood*, built in commemoration of Chriſt crucified. It was not demoliſhed till the end of the ſixteenth century. On the ſouth-ſide † of the High-ſtreet, at the head of *Bell's-wynd*, there were an hoſpital and chapel, known by the name of *Maiſon Dieu*. We know not at what time, or by whom it was founded; but, at the reformation, it ſhared the common fate of Popiſh eſtabliſhments in this country. It was converted into private property. This building is ſtill entire; it goes by the name of the *Clam-ſhell Turnpike* ‡, from the figure of an eſcalop ſhell cut in ſtone over the door.

St Mary's Chapel.

About the middle of Niddry's-wynd, is a chapel founded by Elizabeth Counteſs of Roſs, A. D. 1505, and dedicated to God, and the Virgin Mary *his mother*. Colvill of Eaſter Weemyſs, and afterwards Richardſon

* Letter of Sir James Dick, formerly Lord Provoſt of Edinburgh, 13th December 1688, in poſſeſſion of Sir Alexander Dick of Prieſtfield, Baronet. † Keith's Cat. p. 290. Council reg. v. 5. p. 156. 184. ‡ A *turnpike ſtair* is the term uſed in Edinburgh, and over all Scotland, to denote a ſtair, of which the ſteps are built in a ſpiral form, like a ſcreen winding round the ſame axis, in oppoſition to ſtraight flights of ſteps, which are called *ſcale ſtairs*.

Richardſon of Smeaton, became proprietors and patrons of this religious foundation. About the year 1600, one James Chalmers, a macer before the Court of Seſſion, acquired a right to this chapel; and, in A. D. 1618, the corporations of Wrights and Maſons, now known by the name of *the United Incorporations of Mary's Chapel*, purchaſed this * ſubject, which they ſtill poſſeſs, and where they hold the meetings of the corporation.

Chapel and Convent of Ciſtertian Nuns, and Hospital of the Virgin Mary.

Towards the head of St Mary-wynd, upon the weſt-ſide, there were a chapel and convent of Ciſtertian Nuns, and an hoſpital dedicated to the Virgin Mary. The time and author † of this foundation are alſo unknown. Its revenues were very ſmall. The chaplain's ſalary, A. D. 1499, was but ſixteen ſhillings and eight pence Sterling yearly, and the poor in the hoſpital were chiefly ſupported by voluntary contributions. No veſtige of the building remains; but the ſtreet in which it was ſituated ſtill retains its name.

Hospital of our Lady.

Thomas Spens Biſhop of Aberdeen founded, A. D. 1479, an hoſpital in Leith-wynd, for the reception and entertainment of twelve poor men. This hoſpital was dedicated to the Virgin Mary, and bore the name of *the Hoſpital of our Lady*. It does not appear how theſe poor people were ſupported; for the yearly rents ſettled upon the hoſpital did not amount to twelve pounds Sterling. The town-council of Edinburgh having, at the reformation, become proprietors of this hoſpital, in conſequence ‡ of Queen Mary's grant to them, of

* Archieves of the incorporation of Mary's Chapel. † Council reg. v. 1. 35. Keith's Cat. p. 283. ‡ Council regiſter, v. 5. p. 200. 201. v. 6. p. 190. 191. v. 13. p. 85. 86. 106. v. 14. p. 15.; Maitland's hiſt. p. 468.

of all the religious houſes, colleges, &c. in Edinburgh, converted this hoſpital, A. D. 1619, into a work-houſe, beſtowing on it the name of *Paul's work*, which it ſtill retains.

The council, at the ſame time, brought five men from Holland, to inſtruct indigent boys and girls, in this work-houſe, in the manufacture of coarſe woollen ſtuffs. They alſo enlarged the hoſpital with additional buildings, for accommodating the manufactory. They furniſhed the poor children, whom they put to apprenticeſhip, with clothes and bedding, and paid the maſters of the work thirteen pence and a third of a penny weekly, for the maintenance of each of the children, during the firſt year of their apprenticeſhip. This was conſidered as a very beneficial inſtitution, and, accordingly, many well diſpoſed people enriched it with donations. It ſeems, however, that the manufacture did not ſucceed, or that the town-council grew weary of encouraging it; for they converted it into a correction-houſe. They grew weary of this alſo; and, being reſolved to rid themſelves of a troubleſome property, they ſold it. Mr Macdowal, the preſent proprietor, carries on in it an extenſive manufacture of broad cloths, hardly inferior to the Engliſh.

Chapel of St Ninian.

North from the *Hoſpital of our Lady*, there was a chapel dedicated to St Ninian. The time and manner of its foundation and deſtruction are equally unknown. The under part of the building ſtill remains. It is the neareſt houſe to the regiſter-office on the ſouth-eaſt, except the row of houſes on the eaſt-ſide of the Theatre. The lower ſtorey was vaulted, and the vaults ſtill remain. On theſe, a mean houſe, of a later date, has been ſuperſtructed, and the whole converted into a dwelling houſe. The baptiſmal font, which was there in danger of being deſtroyed, was this year, (1778), removed to the curious tower built at Dean Haugh, by Mr Walter Roſs writer to the ſignet.

St

St Thomas's Hospital.

This hoſpital was founded in the reign of James V. by George Creighton biſhop of Dunkeld. The building was immediately adjoining to the Water-gate upon the weſt. It was dedicated to God, the Virgin Mary, and all ſaints. Beſides the motive of charity, another purpoſe of the inſtitution was, that prayers might be put up for the ſoul of the founder, for that of the King of Scots, and thoſe of ſundry other perſons mentioned in the inſtitution. Special care too, was taken in allotting money for providing candles, to be lighted up during the anniverſary maſs of *requiem*, and the number and ſize of the tapers were fixed with a preciſion, which ſhows the importance in which theſe circumſtances were held by the founder. The number of maſſes, *Pater noſters*, *ave Marias*, and *credo's*, to be ſaid by the chaplains and beadſmen, is likewiſe diſtinctly aſcertained.

The patronage of this hoſpital was veſted by the founder in himſelf, and a certain ſeries of heirs named by him. In A. D. 1617, this hoſpital was diſpoſed of by the chaplains and beadſmen, with conſent of the patron, to the bailies of the Canongate, to be uſed as an hoſpital for the poor of that diſtrict. At that time, it was rebuilt by its new proprietors, which appears from the following barbarous inſcription and figures, over the entry to the hoſpital, viz.

'*Help here the poor, as ze vald God did zou. Junii* 19. 1617.'

Over this inſcription are the figures of two cripples, an old man and woman, and above them the Canongate arms.

The magiſtrates of the Canongate, A. D. 1634, ſold the patronage of this hoſpital to the kirk-ſeſſion; ſtill, however, to be applied to the ſame charitable purpoſe. Its revenues were, by degrees, entirely embezzled. In A. D. 1747, the building was converted into coach-houſes; but, becoming ruinous, it was this year (1778) pulled

down, and rebuilt in the ſhape of private houſes and private property.

Chapels of St Mary, of St Roque, and of St John the Baptist.

There were a number of religious foundations in the pariſh of St Cuthberts. In the ſuburb of Portſborough, there was a chapel dedicated to the Virgin Mary, the remains of which are ſtill to be ſeen at the foot of the *Chapel-wynd*. In the weſt end of the borough-muir, there ſtood a large chapel, dedicated to St Roque, and round it there was a cemetery *, where thoſe in Edinburgh, who died of the plague, were interred. The town-council, A. D. 1532, granted four acres of ground in the borough-muir to Sir John Young the chaplain, for which he was bound to keep the roof and windows of the chapel in repair; but, agreeably to the general embezzlement of religious and charitable foundations which took place at the reformation, no ſervices were performed, but the very church and church-yard converted into private property. The loſs of this piece of ground is ſeverely felt by the citizens, whoſe burying-ground, which lies within the city, is by no means adequate to the vaſt increaſe of the inhabitants. A conſiderable part of the walls of this † chapel is ſtill ſtanding. Eaſt from the chapel of St Roque, there was a chapel dedicated to St John the Baptiſt; but we are not able to aſcertain the time or manner of thoſe religious foundations.

Monastery

* Maitland's hiſt. p. 172. 176.

† It is owing to the ſuperſtitious awe of the people, that one ſtone of this chapel has been left above another; a ſuperſtition which, had it been more conſtant in its operations, might have checked the *tearing zeal* of reformation. About thirty years ago, the proprietor of this ground employed maſons to pull down the walls of the chapel; the ſcaffolding gave way; the tradeſmen were killed; the accident was looked upon as a judgment againſt thoſe who were demoliſhing the houſe of God. No entreaties nor bribes by the proprietor could prevail upon tradeſmen to accompliſh its demolition.

A VIEW OF ST ROQUES CHURCH IN RUINS FROM THE NORTH EAST

Monastery of St Catherine of Sienna.

South from the Meadow was a monaſtery of Dominican Nuns, founded by the Lady *St Clair of Roſlin*, and dedicated to St Catherine of Sienna. At the reformation, the magiſtrates of Edinburgh ſeized upon the revenues * of the convent. The poor gentlewomen who had there been educated as nuns, who, ſequeſtered from the world, ſpent their lives in devotion, within walls which they deemed ſacred, were turned out upon the wide world; nor would the magiſtrates, till compelled by Queen Mary, allow the nuns a ſubſiſtence out of thoſe very funds with which their own predeceſſors had endowed the convent. The neighbourhood of this monaſtery ſtill retains its name, but corruptly, the vulgar having perverted *Sienna* into a phraſeology ſuitable to themſelves, *the Sheens*.

Chapels of Knights Templars, of St Leonard, and St Placentia.

Oppoſite to the late monaſtery of *Sienna*, on the eaſt ſide of Newington, there is a gentle eminence, vulgarly called *Mount Hooly*, a corruption of the *Holy Mount*, or *Mons ſacer*. The place was ſo called, from a chapel of Knights Templars erected on it. As the knights of this order profeſſed to defend the holy mount and ſepulchre, and to protect pilgrims reſorting to it, this branch of them, in commemoration of the grand object of their order, had beſtowed on the ſite of their chapel the name of the *Holy mount*. In digging this ground ſome time ago, ſeveral bodies † were found there, buried croſs-legged, and having ſwords by their ſides.

On the eaſt-ſide of the road to Dalkeith, there was a chapel and hoſpital dedicated to St Leonard. The lands belonging to this chapel were granted to the magiſtrates of the Canongate, by King James VI. for the ſupport of St Thomas's hoſpital. The fate of that ho-

* Council reg. vol. 4. p. 93.; Keith's catalogue, p. 280. † Maitland's hiſt. p. 176.

ſpital, and the embezzlement of its revenues, have already been mentioned. The land in this neighbourhood ſtill bears the name of *St Leonard's-hill.* A part of this hill belongs to the Quakers, and is uſed by them as a burying ground. In another part of it, children who have died without receiving baptiſm, and men * who have fallen by their own hand, uſe to be interred.

Nigher to the city, about ſixty yards from the ſouth-eaſt angle of the town-wall, on the weſt-ſide of the ſtreet, there was a priory of nuns dedicated to *St Mary of Placentia.* This ſtreet ſtill bears, corruptly, the name of *Pleaſants.* The time, and the authors of theſe religious foundations, are unknown.

Monastery of the Holy-cross, or Holyrood-house.

The Abbey of Holyrood-houſe was founded by King David I. A. D. 1128, and richly endowed. He beſtowed on the canons-regular of St Auguſtine, the church of Edinburgh caſtle, and thoſe of St Cuthberts, Corſterphine, and Libberton, in the county of Mid-Lothian, and of Airth in Stirlingſhire. The priories of St Mary's Iſle in Galloway, of Blantyre, in Clydſdale, of Rowadill in Roſs, and of Cruſay, Oronſay, and Colunſay, in the weſtern iſles, alſo belonged to them. King David granted to the canons the privilege of erecting a borough, between the town of Edinburgh and church of Holyrood-houſe, which ſtill retains the name of *Canongate*, with a right to hold markets in it. He alſo gave them portions of land in different parts, with a moſt extenſive juriſdiction, and right of trial by duel, and fire and water ordeal. He allotted them certain revenues

* 'Infantumque animae flentes in limine primo;
'Quos dulcis vitae exortis; et ab ubere raptos,
'Abſtulit atra dies, et funere merſit acerbo.'
'Proxima deinde tenent moeſti loca, qui ſibi letum
'Inſontes peperere manu, lucemque peroſi
'Projecere animas.' VIRG.

A VIEW OF THE ABBY CHURCH IN RUINS, FROM THE NORTH EAST

revenues payable out of the exchequer, and out of other funds, with fiſhings, and the privilege of * erecting mills on the water of Leith; which, from the name of the body in which the privilege was veſted, are ſtill termed the *Canon-mills*.

Beſides the grants already mentioned, various privileges were beſtowed on this abbey, by ſucceeding ſovereigns; ſo that it was deemed the moſt opulent religious foundation in Scotland. Its annual revenues, at the reformation, were four hundred and forty-two bolls of wheat, ſix hundred and forty bolls of bear, five hundred and ſixty bolls of oats, *five hundred capons*, two dozen of hens, two dozen of ſalmon, twelve loads of ſalt, beſides a number of ſwine, and about L. 250 Sterling in money.

At the reformation, the ſuperiority of the Canongate, North Leith, and a part of the ſuburb of Pleaſants, and barony of Broughton, was veſted in the Earl of Roxburgh. The town-council of Edinburgh purchaſed theſe ſuperiorities from the Earl, A. D. 1636, and obtained a charter of confirmation of the ſame from King Charles I. A. D. 1639.

The church of Holyrood-houſe ſuffered conſiderably when the Engliſh burned down the palace, upon their invaſion † by ſea, A. D. 1544. However, both church and palace were ſpeedily repaired. At the reſtoration, King Charles having reſolved to rebuild the palace, and, at the ſame time to give the church a compleat repair, ordered that it ſhould ‡ be ſet apart as a chapel-royal, in all time coming, diſcharging it from being uſed as the pariſh-church of the Canongate, which it had hitherto been. It was accordingly fitted up in a very elegant manner. A throne was erected for the Sovereign, and twelve ſtalls for the knights of the order of the Thiſtle; but, as it was accommodated with an organ, and, as maſs had been celebrated in it, in the reign of James VII. the populace giving vent to

* City cartulary of Edinburgh, vol. 4. box 6. bundle 1. No. 1.; Keith's cat. p. 238.; Council reg. vol. 14. p. 390.; Maitland's hiſt. p. 148. † See lib. 1. c. 1. ‡ Records of privy council, No. 2. p. 649. 13th September 1672.

to their fury at the revolution, deſpoiled the ornaments of the inſide of the church, leaving nothing but the bare walls. They even broke into the vault which had been uſed as the royal ſepulchre, in which lay the bodies of King James V. of Magdalene of France, his firſt queen, of the Earl of Darnley, and others of the monarchs and royal family of Scotland. They broke open the lead coffins, carried off the lids, but left the reſt. Theſe walls, which could withſtand the fury of a mob, have ſince been brought to the ground, through the extreme avarice or ſtupidity of an architect.

As the roof of the church was becoming ruinous, the Duke of Hamilton, *heritable* keeper of the palace, repreſented its condition to the Barons of Exchequer, and craved that it might be repaired. To this effect an architect and maſon were conſulted. The walls of the church were already upwards of ſix hundred years old, and were but in a crazy condition; yet did theſe men propoſe, inſtead of putting a ſlate roof on it, to cover it with flag-ſtones, to ſupport which, a deal of ſtone-work would be neceſſary about the roof, and about which it would be difficult to follow and judge of the eſtimate of the architects. They accordingly gave in a plan and eſtimate of the work, amounting to L. 1003, which was * approven of by the Barons of Exchequer, 7th Auguſt 1758. The new roof ſoon injured the fabrick. A report was made to the Barons by another architect, in A. D. 1766, that the church would ſpeedily become ruinous, if the new roof was not taken off, *as the walls had never been intended for ſo vaſt a load.* Nothing was done in conſequence of this report, and the church fell on the 2d December 1768.

When we lately viſited it, we ſaw, in the middle of the chapel, the broken ſhafts of the columns which had been borne down by the weight of the roof. Upon looking into the vaults, the doors of which were open, we found, that what had eſcaped the fury of the mob, at the revolution, became a prey to the rapacity of the mob, who

* Records of Exchequer.

who ranſacked the church after it fell. In A. D. 1776, we had ſeen the body of James V. and ſome others, in their leaden coffins. The coffins were now ſtolen. The head of Queen Magdalene, which was then entire, and even beautiful, and the ſkull of Darnley, were alſo ſtolen. His thigh-bones, however, ſtill remain, and are proofs of the vaſtneſs of his ſtature. In the belfry, there are a marble monument and ſtatue of Robert Lord Belhaven, who died A. D. 1639. The figure is reclining at full length, and the execution is maſterly, being inferior to few of the monuments in Weſtminſter abbey. It has ſuffered ſomewhat by the fall of the church; part of the noſe is broke off, and ſome joiſts, which are hanging looſe in the belfry, threaten, in their fall, to demoliſh it.

Monastery of St Anthony, and Chapel and Hermitage of St Anthony.

The local ſituations of the monaſtery of the *Knights Templars of St Anthony*, and of the chapel, with the hermitage dedicated to the ſame patron, were totally ſeparate and diſtinct; yet we think proper to deſcribe thoſe religious foundations together. The former was * erected north-weſt from the preſent church of South Leith, upon the weſt-ſide of the alley ſtill denominated *St Anthony's-wynd*. There the fraternity had a church, church-yard, monaſtery †, and gardens. Theſe, and all the lands belonging to this convent, were veſted by James VI. in the kirk-ſeſſion of Leith, for endowing an hoſpital founded by them A. D. 1614, called *King James's Hoſpital*, on which the royal arms are ſtill to be ſeen.

The

* Keith's Cat. p. 241.; Maitland's Hiſt. p. 489. 495.

† The ſeal of this convent is preſerved in the library of the Faculty of Advocates. It bears the figure of St Anthony, in a hermit's mantle, with a book in one hand, and ſtaff in the other; and, at his foot, a ſow, with a bell about its neck. Over his head, there is a capital T, which, it ſeems, the brethren wore in blue cloth upon their black gowns. Round the ſeal, there is this inſcription. 'S. Commune Preceptoriæ Sancti Anthonii Prope Leicht.' The account of this monaſtery in Keith's Catalogue is, in many reſpects, both erroneous and defective.

The chapel and hermitage of St Anthony were ſituated in the King's-park, on the north ſide of Arthur's ſeat. The ſpot was well adapted for an hermitage. Although in the neighbourhood of a populous city, it bore the appearance, and poſſeſſed the properties of a deſart. Sequeſtered from the reſt of mankind, the holy hermits might there dedicate their lives to devotion. The barrenneſs of the rock might teach them humility and mortification; the lofty ſite, and extenſive proſpect, would diſpoſe the mind to contemplation; and, looking down upon the royal palace beneath, they might compare the tranquillity of their own ſituation, preparing their minds for the ſcene of everlaſting ſerenity, which they expected hereafter, with the ſtorms which aſſailed the court, amidſt a tumultuous and barbarous people.

The cell of the hermitage yet remains. It is ſixteen feet long, twelve broad, and eight high. The rock riſes within two feet of the ſtone-arch which forms its roof; and, at the foot of the rock, flows a copious and pure ſtream, celebrated in an old Scottiſh ballad.

Nine yards eaſt from the hermitage ſtood the chapel of St Anthony. This was a beautiful Gothick building, well ſuited to the rugged ſublimity of the rock. It was forty-three feet long, eighteen broad, and eighteen high. At its weſt end, there was a tower of nineteen feet ſquare, and, it is ſuppoſed, before its fall, about forty feet high. The doors, windows, and roof, were Gothick; but it has been greatly dilapidated within the author's remembrance; and, ere long, hardly a veſtige of it will remain.

Church of Reſtalrig.

About a mile eaſt from Edinburgh, in a hollow plain, ſtands the ruinous church of Reſtalrig. It was founded by James III. in honour of the Trinity, and the Virgin Mary, and was endowed by the two next ſucceeding Monarchs. James V. placed there a dean, nine prebendaries, and two ſinging boys. But, at the reformation, the

the general aſſembly, in their wiſdom, ordered it to be demoliſhed, *as a* * *monument of idolatry.* Notwithſtanding this *ſuperſtitious* mandate of the general aſſembly, the remains of a beautiful Gothick window, in the eaſt end of the church, and part of the walls, are yet ſtanding. The cemetery around it is uſed as a burying-place, principally by Engliſhmen, and thoſe of the epiſcopal communion. In the middle of the church-yard, there is a ſpacious vaulted mauſoleum, of a circular figure, with yew trees growing on its top, which was originally the family vault of Logan of Reſtalrig. It afterwards became the property of the Lords of Balmerino, and preſently belongs to the Earl of Moray. In this vault, there are the remains of perſons who have been interred there ſome hundred years ago, particularly thoſe of '*Lady Jonet Ker, Lady Reſtalrig, quha departed* '*this life 17th May* 1526.'

Monastery of Carmelite Friars, and Hospital of Greenside.

A church and monaſtery of Carmelite Friars were founded by the Lord Provoſt and council of Edinburgh, and dedicated to the *Holy croſs*, A. D. 1526. But, as theſe religious orders were ſuppreſſed at the reformation, this building was ſoon converted to another purpoſe, to an hoſpital † for perſons afflicted with the leproſy, founded by John Robertſon merchant in Edinburgh, A. D. 1591.

It is a curious, yet neglected object of diſquiſition, '*how certain* '*diſeaſes ſpring up and die away in different ages.*' The frequency of the leproſy among the Jews is known to every one, and its loathſomeneſs and ſeverity are pathetically deſcribed in the book of Job; but our anceſtors, alſo, were much afflicted with the leproſy. It was by no means a diſeaſe peculiar to the poor, but equally viſited the cottage and the palace. King Robert Bruce, who was ſaid himſelf to have been afflicted with the leproſy, founded, near the

* Book of the Univerſal Kirk, p. 3. † Keith's Cat. p. 279.; Maitland's hiſt. p. 214.

town of Air, an hoſpital for perſons labouring under that diſtemper. In the reign of James I. it was ſo general *, as to be the object of parliamentary regulation. At the inſtitution of this hoſpital of Greenſide, ſeven lepers, all of them inhabitants of Edinburgh, were admitted in one day. The ſeverity of the regulations which the magiſtrates appointed to be obſerved by thoſe admitted into the hoſpital, ſegregating them from the reſt of mankind, and commanding them to remain within its walls night and day, demonſtrates the loathſome and infectious † nature of the diſtemper. It has been already obſerved, that the magiſtrates of Edinburgh, in conſequence of a grant by King James III. veſting in them an ample juriſdiction and powers to make ſtatutes and by-laws for the government of the borough, had aſſumed to themſelves a moſt extravagant and tyrannical power, of declaring ſuch offences to be capital as they conceived a particular averſion to. Accordingly, the lepers were diſcharged to go without the hoſpital, or to have its door open after ſunſet, *under pain of death.* That this might not be deemed an empty threatening, a gallows was erected at the gavel of the hoſpital for the immediate execution of offenders.

The

* James I. parl. 7. c. 106. A. D. 1427.

† This diſtemper has been inconceivably dreadful among the Jews. It infected not only perſons, but houſes alſo. 'And he ſhall look on the plague, (of the leproſy), and behold 'if the plague be *in the walls of the houſe, with hollow ſtrakes, greeniſh or reddiſh,* which in 'ſight are lower than the wall; then ſhall the prieſt go out of the houſe, to the door of 'the houſe, and ſhut up the houſe ſeven days. And the prieſt ſhall come again the 'ſeventh day, and ſhall look; and behold, if the plague be ſpread into the walls of the 'houſe, then the prieſt ſhall command *that they take away the ſtones in which the plague is,* and 'they ſhall caſt them into an unclean place without the city. And he ſhall cauſe the 'houſe to be ſcraped within round about; and they ſhall pour out the duſt that they 'ſcrape off without the city, into an unclean place. And, if the plague come again, and 'break out in the houſe, after that he hath taken away the ſtones, and after he hath ſcraped 'the houſe, and after it is plaſtered, then the prieſt ſhall come and look, and behold, if 'the plague be ſpread in the houſe, *it is a fretting leproſy in the houſe: It is unclean.* And 'he ſhall break down the houſe,' &c. Leviticus, c. xiv. v. 37. &c.

The frequency of this diſtemper is evinced from a regulation, making the being born in Edinburgh, or, at leaſt, a reſidence there for ſeven years, an indiſpenſible requiſite to admiſſion. Yet, it is now ſo totally worn out, that phyſicians of the firſt practice do not underſtand the nature of the diſeaſe, perhaps never met with an inſtance of it.

It will not be improper, in this place, to ſay a few words concerning ſome other diſtempers, which have worn out, or originated, during the aera of our hiſtory. The plague, which, in different periods, has raged, with various degrees of fury, through moſt countries of the world, and which was the ſharpeſt ſcourge that ever viſited the human race, frequently broke out in Edinburgh. But there has been no appearance of it in that city ſince A. D. 1645; yet the town was not nearly ſo crouded with inhabitants, at that period, as a hundred years later. Neither has the plague broke out in London ſince the great fire in that city A. D. 1666, nor, in ſo far as we know, in any part of the iſland. To what, then, is the expiry of theſe diſeaſes to be attributed? To a change in the manner of living; to the improvement of agriculture, yielding a larger quantity of grain; and the cultivation of paſture, affording freſh meat in all ſeaſons of the year; to the vaſt increaſe in the cultivation and conſumption of vegetables; to a more frequent change * of linen; and to an increaſing attention to cleanlineſs, both in perſon and lodging. Thus, in theſe articles, what is eſſential to elegance and luxury, is conducive to health.

If modern Europe, or, at leaſt, this iſland, has been delivered from the plague and the leproſy, ſhe has, at the ſame time, been viſited with two diſtempers formerly unknown, and which have made great havock. Both theſe have been owing to accident; the one to a commerce with the Turks; the other to an intercourſe with the natives of America. Theſe diſtempers have abated of their original fury. For the firſt, the incomparable Lady Mary Wortley Montague

* The laſt Archbiſhop of Glaſgow put on a clean ſhirt once a week.

introduced, from the country which gave us the diſeaſe, a remedy diſarming it of all its terrors. A remedy ſo compleat, that we heſitate not in the leaſt to pronounce thoſe parents, who will not innoculate their children for the ſmall-pox, acceſſory to their death. If the clergy would attend to the ſpirit of the religious inſtitutions of the Old Teſtament, particularly to that of circumciſion, and thoſe of pollution * and purification, they would perceive them to have been dictated with a view to health, adapted to the natives and the climate. Thence they would diſcover it to be their duty, to inculcate upon their flocks, habits conducive to health, and particularly the *practice of innoculation.*

When the diſeaſe communicated to the Europeans, in the diſcovery of the new world, ſpread into Scotland, it was believed to be highly contagious. The privy council ſent the magiſtrates of Edinburgh the following order reſpecting perſons afflicted with that diſtemper: 'That all manner of perſons being within the freedom 'of this burgh, who are infected of the ſaid *contagious plague, cal-* 'led the Grandgore, devoid, rid, and paſs furth of this town, and 'compeer upon the ſands of Leith, at ten hours before noon, and 'there ſhall have and find boats ready in the harbour, ordered to them 'by † the officers of this burgh, readily furniſhed, with victuals, to 'have them to the *Inch*, (Iſland of Inchkeith), and there to remain 'till God provide for their health. And that all other perſons who 'take upon them to heal the ſaid contagious infirmity, and take the 'care thereof, that they devoid and paſs with them; ſo that none 'of thoſe perſons who take the cure upon them, uſe the ſame cure 'within this burgh.' The penalty of contravention, either by the diſeaſed, or their phyſicians, was burning on the cheek.

CHAPTER III.

* See Leviticus, c. xv. † Council reg. vol. 1. p. 33. 22. Sept. 1497.

CHAPTER III.

OF the preſent Religious Eſtabliſhment of Edinburgh—Of St Giles's Church—The Old Church—The Tolbooth Church—Haddow's Hole Church—Trinity College Church—Old Gray Friars Church—New Gray Friars Church—The Burying Ground—Tron Church—Lady Yeſter's Church—Canongate Church—Church of St Cuthbert's—Chapel of Eaſe—Lady Glenorchy's Chapel—Earſe Church—The Engliſh Chapel—Popiſh Chapel.

THE city of Edinburgh was originally comprehended in one pariſh, and the miniſters had manſes in the Parliament cloſe. But the ſeditiouſneſs of the clergy having brought the city under a ſentence of high treaſon, James VI. upon reſtoring the town, inſiſted that the parſonage-houſes ſhould be given up to him, and the clergy live diſperſed in the different quarters of the city, which was diſtributed into eight pariſhes, to each of which a miniſter was appointed; For the King thought, that by living * beſide each other, they had the greater opportunity for plotting and conſulting together, and that the rabble had, as it were, a common rendezvous, where they were inſtigated to tumult and rebellion. The city (that is, the antient royalty, independent of the ſuburbs) was afterwards, A. D. 1625, formally divided into pariſhes; but theſe were reduced to four in number, and their different limits deſcribed. The churches, in the reſpective pariſhes, being inſufficient to accommodate the citizens, new churches were built, and the town divided into ſix pariſhes, A. D. 1641; but the whole antient royalty is now conſidered

* Council reg. v. 10. p. 117. 131. v. 13. p. 274. 277. 289. 304.; Spottiſwood's hiſt. p. 443.

ed as one diſtrict, called the pariſh of St Giles; and, upon the enlargement of the city, the extended royalty was annexed to the ſame pariſh.

In A. D. 1625, Charles I. beſtowed on the town-council the right of patronage to all the churches in Edinburgh, a right, which, ſome years ago, was judicially conteſted, was proſecuted by the town-council, at a conſiderable expence, and in the iſſue they were victorious: Yet, partly from puſillanimity, partly from a deſire to cultivate the good will of the citizens, upon whom their election into office in ſome inſtances depends, the town-council have hardly ever exerted this privilege, for which they ſo warmly conteſted; but they uniformly preſent the clergyman who is choſen by the majority of the general kirk-ſeſſions of Edinburgh. This, which to people unacquainted with particulars, may appear to be the effect of liberality and moderation, is, by no means, a commendable practice.

The preſbyterian clergy of Scotland, who, in the courſe of our hiſtory, have been ſeen to involve the nation ſo often in tumult and rebellion, are ſtill a divided ſect. The right of patronage is the grand touchſtone of the reſpective parties. The one ſet, which encourages patronage, are men of moderate and peaceable principles, both reſpecting church and ſtate, who diſcharge quietly the duties of their function. The other, who are violent enemies to patronage, are more bigotted in their religious principles; men who are ever inclined to advance the republican part of the conſtitution, and who are always endeavouring, by arts ſuitable to the end, to inſinuate themſelves into the favour of the rabble.

By theſe men, but much more by Seceders, Methodiſts, Cameronians, Independents, Anabaptiſts, Bereans, and the endleſs tribe of ſectaries, fanaticiſm is propagated, is productive of much diſtreſs in private families *, and of the moſt ridiculous and fluctuating whimſies

* The danger to young people, particularly thoſe of the female-ſex, from the people who take upon them to be preachers, ought to be ſtrictly guarded againſt. It frequently happens,

whimſies in the individuals who are poſſeſſed with theſe unhappy notions.

The danger that muſt accrue to the ſtate, if this ſpirit of fanaticiſm ſhould become general, is obvious. The beſt way to repreſs it, is, by the patrons of different churches, particularly where there are leading and numerous congregations, preſenting men of prudent conduct, of peaceable and moderate principles, and who (if poſſible) are agreeable to the pariſhioners; but in no ways to encourage or admit the ſhadow of a popular election.

In A. D. 1633, Charles I. erected Edinburgh into an epiſcopal ſee, appointing, for its dioceſs, all the lands beſouth the river Forth, which had formerly belonged to the Archbiſhoprick of St Andrews, and he gave the Biſhop precedence * next to the Archbiſhops of St Andrews and Glaſgow. He appointed the chapter to conſiſt of a Biſhop, Dean, and twelve prebendaries, to whom, and their ſucceſſors, he granted ſundry churches, but naming that of St Giles as the cathedral. This, however, was a very ſhort-lived inſtitution. In A. D. 1639, epiſcopacy was aboliſhed. Upon the reſtoration, it was re-eſtabliſhed; and it was again ſuppreſſed at the revolution.

Since that period, the preſbyterian worſhip and form of church-government have taken place; that is, by kirk-ſeſſions, preſbyteries, ſynods, and general aſſemblies. To every church there is a kirk-ſeſſion, compoſed of the parſon of the pariſh, and certain laymen, who are called ruling-elders. Their juriſdiction (which extends no further

happens, that a father is robbed of all his family by theſe wholeſale dealers in poiſon. A young girl, for inſtance, goes, out of idle curioſity, or from being prevailed upon by a fanatick acquaintance, to hear one of thoſe preachers. Her imagination is inflamed, her judgment is perplexed by his rhapſodies. She becomes a convert, and is ſeized with the concomitant deſire of making proſelytes. The father interpoſes by his advice and authority; but the *ties of the fleſh* are not to reſtrain the *calls of the ſpirit*. Filial affection and duty are thrown off; the girl is unhappy but in the company of her own perſuaſion; and, by a ſimilarity in religious principles alone, ſhe is led to conclude a marriage with a perſon, with whom meanneſs, poverty, and ignorance, muſt be her lot for ever.

* Council reg. v. 14. p. 282.; Maitland's hiſt. p. 280.

further than their own pariſh) chiefly conſiſts in the management and application of the collections made at church-doors, and other funds deſtined for the poor, in cognoſcing ſuch matters of ſcandal as ariſe from a breach of chaſtity, and paſſing cenſures upon theſe incontinent perſons, and in giving their voice of approbation, or diſapprobation, of the miniſter preſented to their church by the patron, (which is termed *the moderation of the call*), a form ſtill retained, but which is, in nowiſe, eſſential to the preſentee's enjoying all the revenues or *temporalities* of the benefice. And, even as to the inſtallment in the paſtoral office, or what is termed the *ſpiritualities* of the benefice, the ſupreme judicatory of the church has, of late, uniformly admitted the qualified perſon preſented by the patron, overlooking the pariſhioners opinion of the choice made by him, as inconſiſtent with the eſtabliſhed law of patronage.

The kirk-ſeſſion is the loweſt judicatory of the church. Their ſentences are liable to the review of the *preſbytery*, the court immediately ſuperior. It is compoſed of the miniſters in a certain diſtrict, and of laymen, who are called ruling elders, one * from each pariſh. Beſides reviewing the decrees of the kirk-ſeſſion, this judicatory makes trial of the qualifications of candidates for the clerical function, into which they are admitted by the ceremony of impoſition of hands, accompanied by prayer. From the preſbytery, an appeal lies to the provincial ſynod, made up of the ſeveral preſbyteries in the province; and the judgments of the ſynod are liable to be reviewed by the general aſſembly, the ſupreme eccleſiaſtical tribunal of Scotland. This court is compoſed of certain miniſters and elders from each preſbytery; as alſo, of repreſentatives from the royal boroughs and univerſities.

The genuine ſpirit of the preſbyterian religion hath ever claimed an abſolute independence upon the civil magiſtrate, in all eccleſiaſtical affairs. It has, accordingly, been their policy to make choice of a head, which was not likely to interfere with their government of the

* James VI. parl. 12. c. 114.

the church. Full of the independence of the religious order, they have contended, that even a charge of high treaſon for words ſpoken from the pulpit, is cogniſable alone by an eccleſiaſtical judicatory; and, in the zenith * of their power, they have gone the length to repeal ſundry acts of parliament. The clergy, ever attentive to the aggrandizement of their order, at the expence of the power of the crown, or the liberty of the people, took advantage of the diſtreſſes of government, when James VI. was harraſſed, on one hand, by plots of the popiſh Lords, on the other, by thoſe of the Earl of Bothwell; and, when he had been rendered unpopular by one of his officers having killed the Earl of Murray, they ſnatched the opportunity of getting an act paſſed, not only ratifying the preſbyterian church-government, and repealing, in whole, or in part, certain ſtatutes prejudicial to it, but ſeeming to impower the general aſſembly to call and hold meetings by their own † authority, whoſe acts ſhould be valid, without the royal preſence or aſſent. Here was a power, ſet up independent of all the eſtates of parliament; an authority greater than that poſſeſſed by the Lords or Commons, or even by the church in the holy Roman empire, whoſe general councils were ſummoned, and decrees authenticated by the Emperor. The whole of this act is perplexed and ambiguous, the ſeeming tenor of the words running counter to the apparent views of the parliament.

This ſtatute had been repeatedly abrogated and re-eſtabliſhed. At the revolution, King William was greatly perplexed by the contradictory reports that were made to him of the religious affections of the people. The gentry, and the northern counties, in general, approved of the epiſcopal; the ſouthern counties, and the commonality, were attached to the preſbyterian religion. It would appear, that William was ſatisfied, upon pretty juſt grounds, that the epiſcopal clergy of Scotland entertained a bigotted attachment to monarchy,

* See book 1. c. 1. and 3. † James VI. parl. 12. c. 114.; Bankton's Inſtitutes, v. 2. p. 591.

narchy, and the houſe of Stuart; while the preſbyterian were mortal enemies to that family, and (to ſay the leaſt) by no means ſanguine in their approbation of monarchy. But, as William dreaded the unconquerable attachment of the former to the houſe of Stuart, he entered into the views of the preſbyterian party. The acts in favour of the preſbyterian religion, which had been abrogated, were re-eſtabliſhed *, particularly the ſtatute ſeeming to confer powers ſo unconſtitutional and dangerous, upon the general aſſembly.

As the royal aſſent is not neceſſary to give legal ſanction to the acts of the general aſſembly, there is no other check upon them than the power of diſſolving them, which may be exerciſed when the aſſembly proceeds to unwarrantable meaſures; a power which, therefore, it cannot be preſumed the civil authority to have renounced. The ſtatute ſeeming to authoriſe the clergy † to call and hold aſſemblies, does not repeal the act ratifying the King's authority over all ſtates in the kingdom ‡, ſpiritual as well as temporal; but only declares, that it ſhall not be prejudicial to the privileges *that God has given to the ſpiritual office-bearers in the church.* It ſeems to be the natural interpretation of this ſtatute, ſupported by practice, that it does not authoriſe meetings of the general aſſembly to be held without the royal authority.

The exerciſe of ſuch power in the church would be incompatible with a regular government. Accordingly, ſince the revolution, the clergy have uniformly acknowledged the interpoſition of civil authority to be neceſſary to the holding of general aſſemblies.

A remarkable inſtance of this occurred A. D. 1746. By ſome accident, the commiſſion, appointing a perſon to repreſent his Majeſty in the general aſſembly, did not arrive on the day when the aſſembly was appointed to meet. The day appointed for their meeting, which was the 8th of May ‖, they ſpent in religious worſhip, as uſual; but did not chooſe a moderator. The next day, alſo, they ſpent

* William and Mary, parl. 1. c. 5. † James VI. parl. 12. c. 114. ‡ James VI. parl 8. c. 129. ‖ Regiſter of General Aſſembly, A. D. 1746.

ſpent in prayer. But, on the day enſuing, after chooſing a moderator, they adjourned till the ſixteenth, againſt which time they knew a commiſſion from his Majeſty would arrive.

This eccleſiaſtical court is appointed to be held once in the year. There are few inſtances of its being aſſembled any where but in Edinburgh. The form of calling and diſſolving this court, which is ſtill retained, is a mark of the independence upon the civil power which was claimed by the preſbyterian clergy. The moderator, (who is ſpeaker of the aſſembly), in cloſing the court, declares it to be diſſolved, *in the name of the Lord Jeſus Chriſt, the head of the church*, and, by the ſame authority, indites another to meet on a certain day of the enſuing year. Then the Commiſſioner, in his concluding ſpeech, diſſolves the aſſembly, *in the name of the King, the head of the church*, and by his authority indites another to be held on the ſame day named by the moderator.

Of the Church of St Giles.

St Giles, Abbot and Confeſſor, patron of this church, was the tutelar ſaint of Edinburgh. He was born in Greece in the ſixth century, and deſcended of illuſtrious parentage. Both his parents being dead, he gave all his wealth to the poor, and left his native country. He travelled into France, and retiring into the deep receſſes of a wilderneſs, nigh the conflux of the Rhone with the ſea, he continued there for three years, living entirely upon * the ſpontaneous produce of the earth, and the milk of a deer. He was reputed a perſon of extraordinary virtue and ſanctity, and, like other popiſh ſaints, various miracles were attributed to him. He founded a monaſtery in Languedoc, which was long after known by the name of *St Giles's*, and induced many to embrace a life of retirement and devotion.

In the reign of James II, *Preſton of Gorton*, a gentleman whoſe deſcendants are to this hour proprietors of that eſtate in the county

* Baronii martyrologium Romanum, p. 389.; Martyrologium Adonis, p. 443.; Uſuardi martyrologium, p. 507.; Mabillon's annales ordinis Benedicti, p. 99.

of Edinburgh, by the aſſiſtance of the King of France, got poſſeſſion of a ſuppoſed arm-bone of this holy man. He bequeathed this eſteemed relique to the church of St Giles in Edinburgh. The magiſtrates of that city, in gratitude for * the donation made to their church, granted a charter in favour of the heirs of Preſton of Gorton, entitling the neareſt heir of the donor, being of the name of Preſton, to carry this ſacred relique in all proceſſions. The magiſtrates, at the ſame time, obliged themſelves to found, in this church, an altar, and to appoint a chaplain for celebrating an annual maſs of requiem for the ſoul of the donor; and that a tablet, diſplaying his arms, and deſcribing his pious donation, ſhould be put up in the chapel. The relique, enſhrined in ſilver, was kept among the treaſure of this church till the reformation.

At what time this religious foundation was eſtabliſhed is unknown; but it is of conſiderable antiquity. A paſſage in an old author makes it probable, that this church was eſtabliſhed before A. D. 854 †; but expreſs mention is made of it A. D. 1359. It was ſimply a pariſh-church, of which the Biſhop of Lindisfarn, or Holy Iſland, in the county of Northumberland, was patron. To him the abbot and canons of Dunfermline ſucceeded in the patronage; and to them, the Lord Provoſt and Magiſtrates of Edinburgh. Such was the eſtimation of this religious eſtabliſhment, that, about forty altars, dedicated to different ſaints, were founded in it. In A. D. 1466, it was erected into a collegiate church by James III. The chapter conſiſted of a provoſt, curate, ſixteen prebendaries, a miniſter of the choir, four choriſters, a ſacriſtan, and beadle. To each of them diſtinct ſalaries were appointed.

The church of St Giles is a beautiful Gothick building, in length, from eaſt to weſt, on the outſide of the wall, two hundred and ſix feet. Its breadth, at the weſt end, is one hundred and ten feet, in the middle a hundred and twenty-nine feet, but at the eaſt end only ſeventy-ſix.

* Collection of charters in the Advocates Library, p. 78 11th January 1454.

† Simeon Dunelmenſis de geſt Ang. ad A. D. 854; Carta David II. in archiv. Edin.

ſeventy-ſix. It is adorned with a lofty ſquare tower, the top of which is encircled with open figured ſtone-work, reſembling the ornaments that enrich the circlet of an imperial crown. From each ſide and each corner of the tower, riſes a ſlip of ſtone-work, which, meeting in the top with that which ſprings from the oppoſite ſide, forms four arches interſecting each other, and compleating the figure of an imperial crown, the top of which terminates in a pointed ſpire. The church is built on a very elevated ſituation, and the heighth of the ſpire is a hundred and ſixty-one feet.

At the reformation, this church was, for the greater commodiouſneſs, divided by partition-walls. The four principal apartments are allotted for divine worſhip; the leſſer ones to other purpoſes. The chief of theſe diviſions is called the *New Church*. It is formed out of the choir of St Giles's. In it are the King's ſeat, thoſe of the Lord Provoſt and magiſtrates, and of the judges of the court of ſeſſion *, this being the principal church in the city.

THE

* The ſacred utenſils belonging to the church of St Giles, were, by the magiſtrates of Edinburgh, made lawful prizes at the reformation. They were as follows: *The arm of St Giles, a relique*, enſhrined in ſilver, weighing five pounds three ounces and a half. A ſilver chalice or communion cup, weighing twenty-three ounces; the great *eucharift* *, with *golden weike and ſtones*; two cruets of twenty-five ounces; a golden bell, with a heart of four ounces and a half; a golden unicorn; a golden pix to keep the hoſt; a ſmall golden heart with two pearls; a diamond ring; a ſilver chalice, patine, and ſpoon, of thirty-two ounces and a half; a communion-table cloth of gold brocade; *St Giles's coat*, with a little piece of red velvet which hung at his feet; a round ſilver *eucharift*; two ſilver cenſers, of three pounds fifteen ounces; a ſilver ſhip for incenſe; a large ſilver croſs, with its baſe, weighing ſixteen pounds thirteen ounces and a half; a triangular ſilver lamp; two ſilver candleſticks of ſeven pounds three ounces; other two candleſticks of eight pounds thirteen ounces; a ſilver chalice gilt, of twenty ounces and a half; a ſilver chalice and croſs of ſeventy-five ounces, beſides various prieſtly robes, and other veſtments of gold brocade, crimſon velvet embroidered with gold, and green damaſk. All theſe were ſold; the money was applied, in the firſt place, to neceſſary repairs upon the church. The ſuperplus became a part of the funds of the corporation. Council reg. vol. 3. p. 2. 29. 45. 76.

* Communion cup.

The Old Church.

The central part of St Giles is fitted up as a place of worſhip, for the accommodation of the citizens, and called the Old Church.

The Tolbooth Church.

Upon the reformation, the preſbyterians conceived an immoderate averſion at beſtowing the names of any of the ſaints upon their churches; but diſtinguiſhed them by ſome circumſtance, reſpecting the time or manner of erection, of vicinity, &c. This church accordingly, which occupies the ſouth-weſt quarter of St Giles's, from its vicinity to the priſon-houſe, was termed the *Tolbooth* church.

Haddow's-hole Church.

This occupies the north-weſt part of St Giles's. It was not fitted up as a place of worſhip till A. D. 1699. It takes the name of *Haddow's-hole*, from its having been made a priſon, in which a gentleman of the name of Haddow was long confined.

Beſides theſe churches, the ſmaller apartments in this cathedral are appropriated to ſeveral purpoſes. The chief of them is fitted up for the General aſſembly. A throne is erected in it for his Majeſty's commiſſioner. The convention of royal boroughs is alſo held in this apartment. In other parts of this church, the city-clerks of Edinburgh, and the kirk-ſeſſion clerks, have their offices; and one of the rooms is uſed as the city-cartulary of Edinburgh.

In different quarters of this church, there are the monuments of the celebrated Lord Napier of Merchiſton, inventor of logarithms, of James Earl of Murray, natural ſon of King James V. and regent of Scotland, and of the great Marquis of Montroſe, all of whom were here interred.

Trinity

The Revd. John Elphinstone Esqr. Engineer delin. Parr Sculp.

A Perspective View of the College Church with the Adjoining Buildings.

Trinity College Church.

This church was founded by Mary of Gueldres, Queen of James II. in honour of the Holy Trinity, A. D. 1462, who, at the ſame time, founded and endowed an hoſpital. The chapter of this collegiate church was appointed to conſiſt of a provoſt, eight prebendaries, and two choriſters all of whom had diſtinct ſalaries. In the hoſpital thirteen poor men were to be maintained. The regulations eſtabliſhed by the charter of this foundation, put the virtue and learning of the Popiſh eccleſiaſtics in no very reſpectable veiw. It is provided by the foundreſs, 'That no prebendary ſhall be inſti-'tuted, unleſs he can read and ſing plainly, and underſtands arith-'metic.' 'And that, if any prebendary ſhall keep a concubine, 'or fire-maker, and ſhall not diſmiſs her after being *thrice admo-'niſhed thereto by the Provoſt*, his prebend ſhall be adjudged 'vacant.'

The building intended by the foundreſs has never been compleated; only the choir, central tower, and croſs of the church, have been erected. On one of the buttreſſes, the arms of Gueldres, quartered with thoſe of Scotland, are engraved, and, in the north iſle of the church, the body of the foundreſs is interred.

At the reformation, the regent Murray beſtowed this collegiate church and its revenues, on Sir Simon Preſton, who generouſly gave them in benefaction to the town-council of Edinburgh. The church was intended by them as a place of worſhip for the citizens, and the hoſpital (which was become ruinous) to be rebuilt for the accommodation * of the poor. This church, ſince the reformation, has been commonly called the *College Kirk*.

Old

* See an account of this hoſpital *infra*, under this article '*Of the charitable foundations in Edinburgh.*'

Old Gray Friars Church.

The number of inhabitants of Edinburgh increaſing, and the churches being inſufficient for their accommodation, the magiſtrates, A. D. 1612, ordered a new church to be built, on the ground formerly belonging to the Gray Friars, and beſtowed on them by Queen Mary, for a public cemetry. Although two more churches were afterwards erected within the royalty, ſtill they were found inſufficient for the purpoſes of religious worſhip. It happened on the 7th of May 1718, that part of this church was blown up by gunpowder, belonging to the town, which had been lodged in the ſteeple. The expence of repairing it was eſtimated at L. 600, and, inſtead of building up the church in its antient form, it was reſolved to conſtruct at its weſt end another church.

New Gray Friars Church.

In the manner already mentioned, this church was built contiguous to the weſt end of the Old Grayfriars. It was finiſhed A. D. 1721, at the expence of L. 3045 Sterling.

Around theſe churches is the principal cemetry for the citizens of Edinburgh. When the magiſtrates, attentive to the intereſts of the city, applied for this ſpot, to be converted into a burying-ground, it was at a ſmall diſtance from the town; it is now ſurrounded by buildings. At that time there were but four churches in Edinburgh; there are now nine within the royalty, beſides a large chapel for thoſe of the epiſcopal communion, and ſundry meeting-houſes for diſſenters. It ſurely will not be alledged, that people reſort more frequently to the church now, than in the days of *John Knox*; yet, while the doubled number of the churches is one among many proofs of the vaſt increaſe of inhabitants, the burying-ground is but little enlarged. Such multitudes have been interred in the Gray-

Gray-friars church-yard, that it is equally humiliating and diſguſting, to behold its ſurface raiſed ſo much beyond the level of the adjacent ground, merely by what was once the organs of rational beings, and ſuſceptible of pleaſure and pain.

The graves are ſo crouded upon each other, that the ſextons frequently cannot avoid, in opening a ripe grave, encroaching upon one not fit to be touched. The whole preſents a ſcene equally nauſeous and unwholeſome. How ſoon this ſpot will be ſo ſurcharged with animal juices and oils, that, becoming one maſs of corruption, its noxious ſteams will burſt forth with the fury of a peſtilence, we ſhall not pretend to determine; but, we will venture to ſay, the effects of this burying-ground would, ere now, have been ſeverely felt, were it not, that, beſides the coldneſs of the climate, they have been checked by the acidity of the coal-ſmoak, and the height of the winds, which, in the neighbourhood of Edinburgh, blow with extraordinary violence.

The magiſtrates lately purchaſed a large ſpace of ground, which they diſpoſe of to very good account, as areas for building. They may at leaſt then provide for the wholeſomeneſs of the city, by accommodating it with a ſufficient burying-ground. To enlarge that of the Grayfriars, would be very improper. A ſpot ought to be purchaſed entirely without the city. *The Chapel of St Roque*, and its church-yard, which were formerly a cemetry for Edinburgh, are well adapted for this purpoſe. The ſpot lies at a convenient diſtance; and, as it was once a chapel, it will be accommodated to the prejudices of thoſe who incline to have their aſhes depoſited in conſecrated ground.

The Tron Church.

The Old Grayfriars-church being, along with the other churches, ſtill inſufficient for the accommodation of the citizens, the town-

The Honble. John Elphinstone Esqr. Engineer delin. | Parr Sculpt.

Prospect of the Gray Friers Kirk Edinburgh; From the South West.

council purchaſed two ſites, on which they intended to erect religious fabrics. The one was on the Caſtle-hill, almoſt the ſame ſpot which is preſently occupied by the reſervoir. The other was the ſpace on which the Tron-church preſently ſtands. Both theſe buildings were founded about A. D. 1637. Both of them were carried on a conſiderable length, when the magiſtrates * perceived, that it would be with difficulty they could defray the expence of one of them. They accordingly pulled down the unfiniſhed church on the Caſtle-hill, and employed the materials in erecting that at the Tron. The Tron Church, (ſo called from its vicinity to the *Tron*, or public beam for weighing merchandize), was built partly at the expence of the town, partly by voluntary ſubſcription. The building went † on very ſlowly. By the year 1647, it was ſo far compleated, that public worſhip was performed in it; but it was not entirely finiſhed till A. D. 1663. The expence of this fabrick was about L. 6000 Sterling.

In A. D. 1639, one David Mackall, a merchant in Edinburgh, gave three thouſand five hundred ‡ merks to the magiſtrates of Edinburgh, *in truſt*, for purchaſing land, the rents whereof were to be ‖ applied to the maintenance of a clergyman of the preſbyterian church, who ſhould be appointed to preach every Sunday morning at ſix o'clock, or ſuch other hour as the magiſtrates ſhould appoint.

The magiſtrates of Edinburgh may truly be ſaid to have *hid this talent in a napkin.* They did not appoint a preacher in conſequence of it, for a period of *ſixty-four* years. As money then bore ten *per cent.* of intereſt, although the intereſt of this ſum had been paid but *once in ten years*; yet, if it had otherwiſe been properly managed, the accumulated ſum behoved to have exceeded *ſixteen thouſand pounds Sterling.* In the year 1703, the magiſtrates appointed two perſons

* Council reg. v. 15. p. 47. v. 16. p. 26. v. 22. p. 29. † Over the door, in the front of the church, is this inſcription: 'Ædem hanc Chriſto et eccleſiae ſacrarunt cives 'Edinburgeni, Anno Dom. MDCXLI.' ‡ About L. 194 Sterling. ‖ Council reg. v. 15. p. 110.

perſons to preach alternately in the morning in this church*, to each of whom they gave a ſalary of about forty guineas; but of late they have contented themſelves with one preacher, to whom they give L. 50 a-year. It may here be proper to obſerve, that the miniſters of Edinburgh alſo preach alternately, in one or other of the churches, every Tueſday and Friday morning, and Wedneſday evening.

The magiſtrates were in uſe to appoint the morning preacher in the Tron-church, from among clergymen who had no cure. This was charitable and judicious; for the young preachers in Scotland are extremely indigent; and this office being taken from the preacher whenever he was preſented to a parſonage, might, in few years, be uſeful to many poor young men. There is, however, nothing in Mackall's deed of mortification, reſtricting the magiſtrates to the appointment of any clergyman or preacher, except that he be of the preſbyterian religion. This office is, at preſent, held by one of the miniſters of Edinburgh.

Lady Yester's Church.

As the town-council of Edinburgh had been unable to erect their intended church on the Caſtle-hill, *Dame Margaret Ker*, *Lady Yeſter*, deſirous that the citizens of Edinburgh ſhould be ſufficiently accommodated in places of public worſhip, founded this church A. D. 1647. She gave the magiſtrates the ſum of ten thouſand merks† for building a church, and five thouſand more to be laid out in maintaining a miniſter; but with power to the magiſtrates to employ both theſe ſums in building the church, if neceſſary. Accordingly, both ſums being expended in building the church, this pious and charitable lady made a grant to the magiſtrates of a thouſand merks a-year, payable out of her jointure, till another ſum of five thouſand merks ſhould be made up, to be applied towards providing a miniſter. In all the churches of Edinburgh, within the royalty, excepting this and the New Gray-friars, two miniſters officiate. They have a ſtipend of L. 138 each.

* Council reg. v. 37. p. 686. † L. 555 Sterling.

Canongate Church.

It has been already obſerved, that the Abbey church of Holyrood-houſe was antiently the pariſh church of the Canongate. James VII. either from a deſire of having a chapel in which the Popiſh worſhip might be celebrated in all its ſplendour, or ſimply of decorating a church for the ceremony of inſtalling the Knights of the Thiſtle, ordered the church of Holyrood-houſe to be ſet apart as a chapel-royal, in all time coming. This order was firſt iſſued A. D. 1672; but ſeems not to have taken effect till A. D. 1687; and the inhabitants of the Canongate were deſired to accommodate themſelves in Lady Yeſter's * church, till a new one could be built for them.

As the inhabitants of the Canongate were incommoded by the want of a pariſh-church, they acquainted the King, that one Thomas Moodie had bequeathed to the town-council, in A. D. 1649, twenty thouſand † merks, in truſt, for the building a church, which, with its annual intereſt, behoved now to be accumulated to a very conſiderable ſum; and they prayed, that his Majeſty would interpoſe his authority to compel the town-council to build them a church. Agreeably to the royal mandate, which was iſſued in conſequence of the application made by the inhabitants of the Canongate, the magiſtrates of Edinburgh bought a piece of ground for a church and church-yard, and began to build a church A. D. 1688. This building is of the figure of the croſs. The front of it is decently ornamented, and, on its top, are the head and horns of a deer, with a croſs erect, over the top of the forehead, between the horns, emblematical of the ridiculous legend which is told of King David I. founder of the abbey of Holyroodhouſe. The expence of this building was about two thouſand four hundred pounds Sterling. There are two miniſters to this church; the King is patron of the firſt,

* Records of privy council, No. 2. p. 649.; Manuſcript by the Rev. Dr Macfarlane miniſter of the Canongate. † About L. 1100.

Thomas John Elphinstone Esq.r Engineer delin. Parr Sculp.t

A South View of the Canongate Kirk with Some Neighbouring Buildings.

firſt, the town-council of Edinburgh, and proprietors of houſes in the Canongate, of the ſecond.

Church of St Cuthbert's

This church ſtands to the north-weſt of the caſtle, entirely without the royalty. The diſtrict to which it belongs muſt be conſidered as partly a town, partly a country pariſh. The ſuburbs of Portſborough, Potterrow, and Pleaſance, with the other ſtreets and ſquares on the ſouth-ſide of the town, compoſe the former. The latter, which at preſent is very extenſive, was antiently much more ſo. If we ſet aſide that of St Giles's, this is the moſt populous pariſh in Scotland. This church is of great antiquity. In the charter of foundation of the monaſtery of Holyroodhouſe, there is mention of donations made to the church of St Cuthbert by the uſurper Macbeth *. Some years ago, this church becoming ruinous, it was rebuilt at the expence of L. 4231. Although this pariſh is very populous, and the landholders, in general, are men of opulence, they would not beſtow as much money as build a handſome church, or compleat the ſpire, which is cut ſhort when it riſes to the level of the roof of the church. Thus, both ornament and utility are deſpiſed; for, there is not a place to hang the bells for convening this populous and extenſive pariſh. At the ſame time, the ſituation of this church is ſo detached, that a handſome building and ſpire would be ſeen to much advantage, and be a great ornament to the neighbourhood. Although we are not to expect that the phlegmatick devotion of a modern proteſtant ſhould conſecrate ſtructures to the Deity, equal in magnificence to a Grecian temple, or popiſh cathedral; yet it is to be wiſhed, that gentlemen who profeſs religious principles, and who would be thought lovers of the fine arts, would, conſiſtently with theſe profeſſions, make ſome diſtinction between a church and a barn. Two miniſters

* Macbeth uſurped the throne A. D. 1052.

miniſters officiate in this pariſh. They have manſes in its neighbourhood; and the King is patron.

Chapel of Ease.

The number of inhabitants in the pariſh of St Cuthbert's increaſing, it became neceſſary to erect a place of worſhip for their accommodation. This one was accordingly raiſed A. D. 1757, before the buildings in that quarter became extenſive, and was called *the Chapel of Eaſe*. It is dependent upon the landholders and kirk-ſeſſion of the pariſh of St Cuthbert's, of which it forms a part. In them is the government of matters reſpecting this chapel, and the right of electing the miniſter.

This building was raiſed by ſubſcription. To induce people to ſubſcribe, it was declared by the landholders and kirk-ſeſſion, that every one who gave five pounds ſhould have a right to vote in electing the firſt miniſter. This church is a plain genteel building. It coſt between eleven and twelve hundred pounds. It is accommodated with a belfry, although that of St Cuthbert's has got none. The miniſter's ſtipend is paid out of the ſeat-rents; therefore, as the demands for ſeats, as well as the collection at the church-door for the poor, will be greater, if the miniſter be agreeable, it has been hitherto thought proper to give the election of the miniſter to the ſeat-holders.

The neighbourhood of this chapel has, ſince its erection, been uſed as a cemetery. But, ſo ſtrong is the prejudice in favour of *holy ground*, that, previous to its being uſed as a place of interment, a biſhop of the Scottiſh epiſcopal communion was prevailed upon, with all due ſolemnity, to *conſecrate the ground*. This office of conſecration, (it ſeems), either being inconſiſtent with the principles of a preſbyterian clergyman, or that he is not deemed ſufficiently ſanctified for the function.

Lady

Lady Glenorchy's Chapel.

In this chapel, alſo, worſhip is performed according to the manner of the preſbyterians. Whether, before *Lady Glenorchy* founded this inſtitution, there were churches ſufficient for accommodating the inhabitants, we ſhall not pretend to determine. Such, indeed, is the demand for ſeats, and ſo little are they occupied when obtained, that we are tempted to conclude the genteeler part of the congregations in Edinburgh deem the eſſential duties of religion to be concentrated in holding and paying rent for ſo many feet ſquare in the inſide of a church.

In A. D. 1772, Lady Glenorchy feued a piece of ground from the managers of the Orphan Hoſpital, for which ſhe was to pay fifteen pounds a year; and upon this area ſhe built a chapel. Far from treading in the laudable path already chalked out by Lady Yeſter, Lady Glenorchy reſerved the patronage, and entire management, of this inſtitution to herſelf, and certain ſelect perſons appointed by her. She, at the ſame time, ſtruggled both to have the miniſter preſented by her entitled to the benefit of communion with the eſtabliſhed church, and to be favoured with its countenance; and alſo, that ſhe ſhould not be liable to the regulations, nor ſubject to the judicatories of the church.

Her Ladyſhip, on the 8th of February 1773, executed a miſſive, which wore the appearance of granting *ſomething* to the Orphan Hoſpital, but, in fact, granted *nothing at all.* It muſt be premiſed, that, as the offerings made at the church-doors in Edinburgh are applied to the ſupport of the Charity Work-houſe, and ſometimes to that of the Orphan Hoſpital, any place of worſhip, where the offerings are applied to other purpoſes, is detrimental to theſe charitable

table inſtitutions. Now, her Ladyſhip, by that miſſive, declared, that the managers of the Orphan Hoſpital ſhould have liberty, (upon aſking it in proper time), to have *occaſional preaching in her chapel, when it was not otherwiſe employed*, and to apply the collections made upon theſe occaſions in behalf of the hoſpital. It may be aſked, 'Is there any thing to hinder Lady Glenorchy, '(upon application made), to give to any man, or ſet of men, 'the liberty of *occaſional preaching* in her chapel, and of apply-'ing, as they pleaſe, the collections made upon theſe occaſions?' However, ſhe concluded this miſſive with this propoſal, that the miniſter of the chapel ſhould be directed by her to take inſpection of the children and ſervants in the hoſpital *, if agreeable to the managers.

The church being finiſhed, Lady Glenorchy ſent a letter to the preſbytery of Edinburgh, aſking their aſſiſtance, by naming ſome of their number, or probationers, to preach in the chapel occaſionally, till a miniſter ſhould be ſettled. The preſbytery complied with her requeſt. The chapel was opened by two of the miniſters of Edinburgh in May 1774; and different miniſters and probationers preached there from time to time. In December 1775, Lady Glenorchy informed the preſbytery of her intention to place, in this chapel, one Grove, a preacher to a diſſenting congregation in England. To this the preſbytery gave a civil anſwer, importing, that, although they approved of her piety, they could not give countenance to the appointment of a miniſter who was no member of the clerical order of the Church of Scotland. The intended preſentee, foreſeeing the diſagreeableneſs of his ſituation, declined the charge. Upon this, Lady Glenorchy wrote to the preſbytery, that ſhe intended to preſent

* It is to be obſerved, that the Orphan Hoſpital is a body corporate, conſtituted by royal charter, of which moſt of the great officers of ſtate in Scotland, and the preſeſes of almoſt every ſociety of any note in Edinburgh, are managers.

ſent the Reverend Mr Balfour miniſter at Lecropt; but that he, out of his reſpect for the eſtabliſhed church, and reſolution to hold communion with it, would take no ſtep towards being looſed from his preſent paſtoral charge, till he was aſſured that the preſbytery of Edinburgh would inſtall him in this chapel.

To this letter, the preſbytery anſwered, that they heartily approved of her choice; but that they could not conſent to inſtall him, unleſs there were a regular call from the congregation, a legal ſecurity for the miniſter's ſtipend, and that the offerings at the chapel were put under the adminiſtration of the managers of the Charity work-houſe. The lady, however, far from complying with theſe articles, wrote to them, 'That the chapel was her private property, and *had* 'never been intended to be put on the footing of the eſtabliſhment, nor 'connected with it, as a chapel of eaſe to the city of Edinburgh: That, 'having built the chapel at her own expence, ſhe was entitled to 'name the miniſter: That ſhe wiſhed to convince the preſbytery 'of her inclination, that her miniſter, *though not on the eſtabliſh-* 'ment, ſhould hold communion with its miniſters: That, with reſpect 'to the offerings, every body knew that ſhe had appointed truſtees 'for the management of them; *and that thoſe who were not pleaſed* 'with this mode of adminiſtration might diſpoſe of their alms elſe- 'where. Adding, that ſhe had once and again ſent part of theſe 'offerings to the treaſurer of the Charity work-houſe.'

Notwithſtanding their former reſolution, as, by the mode of ſettling miniſters in Edinburgh, already ſpoken of, the fanatick intereſt preponderates in that preſbytery, a majority of that eccleſiaſtical court voted Lady Glenorchy's reply ſatisfactory, agreed to inſtall the miniſter, and that he ſhould be at liberty to hold communion with the eſtabliſhed clergy. Thus did the preſbytery give every mark of countenance, and almoſt every benefit ariſing from the eſtabliſhed church, while this inſtitution was not ſubject to their juriſdiction; while they diſpenſed with the *moderation of the call*, a form about which they ſtickle zealouſly, if by it they could get a

miniſter, preſented by the legal patron, to be rejected; while they did not inſiſt upon the ſtipend being properly ſecured; while they agreed to permit Lady Glenorchy to diſpoſe, without controul, upon thoſe pious offerings, which ſhould have been applied towards the ſupport of the Charity work-houſe; while they, in fact, elided that right of patronage over all churches in this city holding communion with the eſtabliſhed miniſters, which is veſted in the magiſtrates of Edinburgh; and, while they had no power to depoſe, from the benefice in this chapel, the miniſter inſtalled by them, in caſe of his errors in life or doctrine.

Several members of the preſbytery appealed againſt a deciſion which they deemed ſo improper. Mr Balfour, the preſentee, a worthy member of the eſtabliſhed church, to avoid the diſagreeable conteſt, declined the charge. The appellants, however, impreſſed with the pernicious tendency of this judgment, brought their appeal before the ſynod, by whom the judgment was totally reverſed. Againſt this ſentence of the ſynod *, the preſbytery appealed to the general aſſembly, who waved the conſideration of the firſt part of the judgment of the ſynod, diſapproving of the inſtallment of a miniſter in this chapel by a member of the preſbytery, but reverſing that part of the ſentence which prohibited religious communion between the miniſters of the eſtabliſhed church, and the preſentee to Lady Glenorchy's chapel. The abſurdity and inconſiſtence of this deciſion were rendered more conſpicuous by a ſentence of the general aſſembly, pronounced juſt two days thereafter, who, in the caſe of Dunfermline, upon an application ſimilar to that of Lady Glenorchy, but with circumſtances infinitely more favourable for the inhabitants of Dunfermline, *affirmed* the judgment of the ſynod of Fife, which was preciſely the ſame with that of the ſynod of Lothian, which they had *reverſed*.

THE

* Regiſter of general aſſembly, 27th, 28th, and 30th May 1777.

The Earse Church.

Great numbers reſort from the Highlands to get employment in Edinburgh in the lower occupations of life. The chairmen, porters, ſoldiers of the city-guard, and many of the houſehold-ſervants in Edinburgh, are from that country. Some of them neither underſtand nor expreſs themſelves intelligibly in Engliſh. For the benefit of theſe people, it was propoſed, about ten years ago, to found a chapel, where the preſbyterian religion ſhould be performed in the Earſe language. This chapel was accordingly begun A. D. 1767, and compleated 1769. William Dickſon dyer in Edinburgh purchaſed the ground, and diſpoſed it to the Society for Propagating Chriſtian Knowledge, to be held by them for the ſpecial purpoſe of celebrating worſhip in the Earſe language. It was built by ſubſcription, and by collections raiſed by itinerant preachers. The writers to the ſignet gave a ſubſcription of L. 100; there was no other donation of any note. About two years ago, the chapel was found not large enough to accommodate the congregation. An addition was made to it. The building, ſo enlarged, can admit upwards of a thouſand hearers. The expence of it was in all about L. 700. The miniſter of this chapel is elected by the ſeat-holders. Out of the ſeat-rents he is provided in a ſalary of ſeventy pounds a year. He is allowed to hold communion with the miniſters of Edinburgh.

The English Chapel.

In the year 1689, epiſcopacy, which was then the eſtabliſhed religion, was aboliſhed. Although, from that period, epiſcopal clergymen had no legal proviſion, or ſettlement, they were tolerated to preach in meeting-houſes till A. D. 1746. But, as they derived no emolument from government, no proviſion from the ſtate, they did not perplex their conſciences with voluminous and unneceſſary

oaths. It has been already obſerved, that people of all ranks frequented theſe places of worſhip, which were ſo little obnoxious, that the magiſtrates of ſome of the northern boroughs attended them, diſtinguiſhed by the enſigns of office. Nonjuring meeting-houſes, however, being prohibited under very rigorous penalties, it became neceſſary to all who wiſhed to ſhow their attachment to government, or to preſerve their perſonal liberty and ſafety, to conform to the ſtandard rules preſcribed by act 19. Geo. II. chap. 38.

An epiſcopal chapel, whoſe miniſter was duly qualified by taking the oaths to government, had already been founded in Edinburgh by the Lord Chief Baron Smith. But, as it was not ſufficient to accommodate thoſe of that communion, two new ones were founded about the year 1746; one in Skinner's, another in Carruber's cloſe. In both theſe chapels, the officiating clergymen complied with the dictates of the ſtatute.

As theſe places of worſhip were but mean, inconvenient apartments, too ſmall for their congregations, a plan was formed, about eight years ago, for erecting a handſome building, ſufficient to accommodate not only the hearers in theſe two chapels, but thoſe of the foundation inſtituted by Baron Smith, for whoſe benefit, alſo, this chapel was deſigned. The gentlemen of the epiſcopal perſuaſion choſe from among their number a committee of twelve, for carrying their purpoſe into execution. To this effect, the committee purchaſed an area from the Royal College of Phyſicians, and opened a ſubſcription, which was the only reſource they had for compleating the building, the trifling funds belonging to the former chapels bearing no proportion to the amount of ſo expenſive a work. It could hardly be expected that the contributions would keep pace with the demands for money, to defray the expence of the work. But this impediment was removed by the committee, who, for that purpoſe, generouſly engaged their perſonal credit to a conſiderable amount. The building was begun on the 3d of April 1771. General Sir Adolphus Oughton, then grand maſter of the fraternity of Free

Free Maſons, laying the foundation * ſtone. The committee carried it on with ſuch zeal and activity, that the chapel was opened for public worſhip on the 9th of October 1774.

This is a plain handſome building, neatly fitted up in the inſide, ſomewhat in the form of the church of St Martin's in the Fields, London. It is ninety feet long, by ſeventy-five broad, over walls, and is ornamented with a neat ſpire of a tolerable height. In the ſpire hangs an excellent bell, formerly belonging to the chapel royal of Holyrood-houſe, which is permitted to be rung for aſſembling the congregation, an indulgence that is not allowed to the preſbyterian in England. This diſplays a commendable liberality of ſentiment in the magiſtrates of Edinburgh; but breathes no jealouſy for the dignity of their national church. In the chapel there is a fine organ made by Snetzler of London. In the eaſt ſide of the chapel is a nitch of thirty feet, with a Venetian window, where ſtands the altar, which is adorned with paintings, by Runciman, a native of Edinburgh. In the *volta* is the aſcenſion †; over the ſmall window, on the right, is Chriſt talking ‡ with the Samaritan woman; on the left the prodigal returned §. In theſe two, the figures are half length. On one ſide of the table is the figure of Moſes, on the other, that of Elias. To compleat this chapel, however, two porticos are ſtill wanted. That on the ſouth (which is the front of the church) is meant to conſiſt of lofty Corinthian pillars, ſupporting a pediment. But this building has been very expenſive. Beſides L. 800 paid for the area, it has already coſt near L. 6000, and the expence of the porticos is eſtimated at L. 1000 more. As the funds collected are exhauſted, and the founders in advance, theſe muſt be delayed till the chapel is aſſiſted by future donations. It is to

* The following is the inſcription on the foundation-ſtone. 'Edificii ſacr. eccleſiae 'epiſc. Angliae, primum poſuit lapidem, J. Adolphus Oughton, in architectonicae Scotiae 'repub. Curio maximus, militum praefectus; regnante Georgio III. Tertio Apr. die 'A D. M,DCC,LXXI.'

† St Luke, chap. xxiv. ver. 51. 52. ‡ St John, c. iv. v. 18. § St Luke, c. xv. v. 21.

to be regretted, that a ſtructure, which, when compleated, will really be handſome, has not been raiſed upon an advantageous ſituation. The ground is low; the chapel is concealed by adjacent buildings; the acceſs, eſpecially for carriages, inconvenient; and there is this ſingularity attending it, that it is the only Chriſtian church ſtanding ſouth and north we ever ſaw or heard of. Had it been built in the extended royalty, it would have been ſeen to advantage, and been an ornament to the neighbourhood.

Three clergymen officiate in this chapel, a ſenior and two junior. The preſent ſenior clergyman is Doctor Myles-Cooper, principal of the college of New-York, from which he has been exiled by the preſent diſturbances in America. The ſenior has a ſtipend of L. 150 a-year; the juniors have L. 100 each. The revenue of the chapel ariſes ſolely from the ſeat-rents, and the ſurplus of the collections at the door, after what is laid out in ſupport of the indigent members of the congregation, and what is beſtowed in the annual collection made for the Charity work-houſe, and Royal Infirmary.

When the three congregations, viz. thoſe of the chapels of Baron Smith, of Carruber's, and of Skinner's cloſe united, each of them choſe four gentlemen to compoſe a veſtry of twelve, for managing the affairs of the chapel, giving them power to fill up vacancies in their number. In theſe gentlemen, the right of appointing the clergymen is veſted.

There are about a thouſand perſons in this congregation. Divine ſervice is celebrated before them, according to all the rites of the church of England. This deſerves to be conſidered as a mark of increaſing moderation and liberality among the generality of the people. Not many years ago, that form of worſhip, in all its ceremonies, would not have been tolerated. The organ and the paintings would have been downright idolatry, and the chapel would have fallen a ſacrifice to the fury of the mob. Theſe can now behold, without emotion, even the funeral ſervice performed publicly. Upon the death of Mr Carr, the firſt ſenior clergyman in this chapel, he was interred

red under its portico, the funeral ſervice was ſung, and the voices were accompanied by the organ. The opinions of mankind would naturally ſubſide into a ſtate of moderation, that could behold, without antipathy, the diverſities of creeds and of religions, if they were not inflamed by the fanatick part of the clergy; the ſpirit of perſecution and bigotry, which, clothed in pretenſions to ſanctity, has, in its progreſs, indulged itſelf in the moſt atrocious cruelties, would ceaſe; univerſal toleration of religious opinions would enſue.

Baron Smith's Chapel.

A place of worſhip for thoſe of the epiſcopal communion had been founded by John Smith, Eſq; Lord Chief Baron of exchequer, A. D. 1722. In order to its endowment, he veſted a ſum in the public funds, for the purpoſe of yielding L. 40 yearly to the miniſter of that chapel; and he left the management in ſeven truſtees nominated by himſelf, with powers to them to fill up vacancies in their number. When the Engliſh chapel, already ſpoken of, was founded, it was intended that this congregation ſhould unite with others of the epiſcopal perſuaſion, in the New Chapel; but the incumbent in Baron Smith's chapel, differing with his hearers about the mode of his ſettlement in the New Chapel, choſe to withdraw himſelf again to that in which he was already eſtabliſhed.

Beſides theſe, the epiſcopal religion is performed in ſome other chapels, where elderly perſons, nonjuring epiſcopal clergymen, officiate. After his preſent Majeſty's acceſſion to the throne, certain officious people lodged informations againſt ſome of thoſe clergymen; but the officers of ſtate, imitating the liberality and clemency of their gracious maſter, diſcountenanced ſuch idle and invidious endeavours at oppreſſion. There are alſo, in Edinburgh, various meeting-houſes, where congregations of ſeceders, methodiſts, and other ſectaries from the loweſt claſſes of the people, aſſemble. So much is the fury abated, or rather the frenzy which took place at the

the reformation, *that a Popiſh chapel is preſently building* * *in Edinburgh.* Let us not be underſtood to hang out the ſignal for perſecution!

* Since writing the above, we have obſerved, with ſincere pleaſure, that the liberal ideas which are gaining ground in the kingdom, have been adopted by parliament; that the Engliſh penal ſtatutes, againſt papiſts, have been repealed. We apprehend there muſt be ſome reaſon unknown to us, why this act was not extended to Scotland; why the penalties, which, in Scotland, are ſeverer; why thoſe laws which breathe a ſpirit of the moſt diabolical rancour, are not abrogated. Upon the news arriving of this bill being brought into parliament, the fanatick party, among the preſbyterian clergy, did ample juſtice to that uniformity of character and conduct, which hiſtorical truth has obliged us to deſcribe. The General Aſſembly happened to be ſitting, the fanatick party were full of their alarms and apprehenſions It was at firſt propoſed to addreſs his Majeſty againſt the bill paſſing into a law; and afterwards, when, upon the debate being reſumed, the Lord Advocate told them, *that the bill did not extend to Scotland*, they were not ſatisfied, but moved that a ſtanding committee ſhould be appointed, to watch againſt any extenſion of the bill. Happily for the country, the intereſt of the fanatick party in the General Aſſembly is ſinking. The queſtion accordingly was loſt; but, as this ſour leven is ſtill fermenting in ſome parts of the country, certain preſbyteries publiſhed a ſolemn vote of thanks, to ſuch members of aſſembly as had been loudeſt againſt the bill, and inſtilled into the rabble the moſt frightful notions of this proceeding of parliament.

The inſolence and extravagance of a ſet of fanaticks, of a claſs of people, who, when they poſſeſſed power and conſideration, never failed to involve the nation in tumult, obliges us again to reſume the pen. The clergy, and the lower claſs of the people in Glaſgow, and in the weſtern ſhires, from the days of Charles I. till the preſent hour, have breathed a ſpirit of fanaticiſm, which has burſt forth in reiterated rebellions. The ſynod of Glaſgow and Ayr, have had the audacity to appoint a ſolemn faſt, to be held within their bounds, on account of the encouragement given to popery, in evident contempt of an unanimous reſolution of parliament; have voted an addreſs to the different houſes of parliament, againſt any mitigation of the penal laws againſt papiſts; and have inſtructed their clergy to preach upon the controverſial points between papiſts and proteſtants. Mark the conſequence that has already flowed from this pious reſolution! On the very next Sunday after it was embraced (18th October 1778), the rabble beſet a houſe in Glaſgow, where a popiſh congregation was aſſembled, beat all the windows in pieces, and continued beſieging the houſe till eight at night, when they diſperſed themſelves, whereby the congregation was allowed to retire. Every one who is verſant in the principles of human nature, or hiſtory of mankind, muſt know what notable materials the rabble are, in the hands of the clergy, and what prodigious effects have flowed from their mutual operations. The trifling ebullition of reſentment manifeſted againſt this chapel at Glaſgow, and the reſolutions embraced by their clergy in a free nation and enlightened age, beſpeak that claſs of

cution! nor to conceive ſo harſhly of the public, as that a proſecution againſt its founders could be tolerated. We mention this circumſtance from very different motives; we mention it as a curious feature in the human mind; as a ſingular revolution in this country; as a great inſtance of liberality and humanity, that the nation, which, two centuries ago, in the barbarity of her zeal, pulled in pieces thoſe magnificent fabricks deſtined for the celebration of the religion by law eſtabliſhed, ſhould now permit a building to be raiſed for the purpoſes of the ſame religion, although diſcouraged by the moſt ſanguinary laws. With the improvement of mankind, even Rome herſelf muſt drop her perſecuting ſpirit, or be forſaken by her votaries.

of people inſpired with equal rancour, and with more reprehenſible ignorance than the darkeſt ages of popery, and calls aloud for the attention of the legiſlature, to repreſs this ſpirit of fanaticiſm. Beſides the high flying part of the eſtabliſhed clergy, the ſeceders are, to a man, a ſet of fanaticks. Although they embrace the ſame confeſſion of faith, and obſerve the ſame forms of worſhip with the eſtabliſhed church, they have ſeparated from it on account of preſentations, and that they may enjoy the delightful rhapſodies of their preachers. The ſectaries of different perſuaſions, of late, have greatly increaſed. It is believed, that the number of their meeting-houſes in Scotland, is at leaſt three hundred. It is, perhaps, worthy the attention of government, how far a tax on theſe meeting-houſes would be proper, and whether it might prevent the growth of fanaticiſm.

CHAPTER IV.

Of the Public Buildings in Edinburgh.

OF the Public Buildings in Edinburgh—Of Edinburgh Caſtle—Of the Parliament Houſe—The Advocates Library—The Tolbooth—The Canongate Tolbooth—The Croſs of Edinburgh—The Town-guard Houſe—The Weigh-houſe—The Palace of Holyrood-houſe—The Royal Exchange—The Bridge and extended Royalty—The Regiſter Office—Phyſicians Library—The Suburbs of Edinburgh—David Hume's Tomb.

IN this part of our hiſtory, we mean to deſcribe thoſe public buildings which are not connected with the ſeminaries of learning, with charitable foundations, nor public diverſions.

Of Edinburgh Castle.

Edinburgh caſtle conſiſts of an area of about ſix Engliſh acres. Its ſituation is naturally ſo ſtrong, that, if the fact did not contradict our ſpeculation, we ſhould have conjectured it, before the invention of artillery, to have been impregnable. It is ſituated on a precipitate, and in ſome parts perpendicular rock, about three hundred feet high from its baſe, and, except on its eaſt ſide, is inacceſſible.

At the entrance to the caſtle is the outer barrier; beyond which is a dry ditch, draw-bridge, and gate, defended by two flanking batteries; the whole commanded by a half-moon, mounted with braſs guns of twelve pounders. Oppoſite and near to the gate, is a guard-room for the ſentinels of the ſtanding guard of the caſtle. A little farther on, winding upwards to the right, are two gate-ways, the firſt of which is very ſtrong, and has two portcullices. Immediately

diately beyond the inner gate-way, upon the right, is a battery mounted with braſs guns of eighteen and twelve pounders. Nigh this are ſtore-houſes for the reception of gun-carriages, and other implements of artillery. Next to theſe on the north, are a grand ſtore-room and an arſenal, which will contain eight thouſand * ſtand of arms; next the powder magazine, which is bomb-proof, ſouth from the magazine, are the fort major's, governor's, and ſtore-maſter's houſes; and, beyond theſe, a mortar, and ſome gun batteries.

The upper part of the caſtle, which is entered by a gate to the weſtward, contains ſeveral half-moon batteries, a chapel for the uſe of the garriſon, a parade for exerciſe, and a number of houſes in the form of a ſquare, with a court in the centre, which are the chief buildings in the caſtle. Theſe are laid out in barracks for the officers. The different barracks in the garriſon can accommodate a thouſand men. The eaſt ſide of the ſquare was antiently royal apartments. From the dates on the walls, ſome of theſe appear to have been rebuilt in A. D. 1556, others in A. D. 1616. In thoſe turbulent times, Queen Mary did not hold it ſafe to reſide in an unfortified place, when her pregnancy was far advanced; ſhe, therefore, took up her reſidence in the caſtle, and in a ſmall room, on the ground-floor, in the ſouth-eaſt corner of this edifice, ſhe was, on the 19th of June 1566, delivered of a prince, in whoſe perſon the crowns of both kingdoms were afterwards united. In this quarter of the caſtle ſtate-priſoners are kept, and in one apartment, called the *crown-room*, it is pretended that the regalia of Scotland are depoſited: That they were lodged there with much formality, on the 26th of March 1707, is certain. Whether they be there ſtill, is very problematical. If they be, nothing, at leaſt, can be more abſurd than the way in which they have been kept. The way to preſerve an object of great value, is not to lock it up for ever from the eyes of the public; quite the reverſe. It is by producing it at

* There are other apartments in the caſtle for the reception of arms; ſo that it can accommodate thirty thouſand ſtand of arms.

ſtated times, before certain officers, as repreſenting the public. Now, ſince the regalia were depoſited, no governor of the caſtle, upon his admiſſion, has made inquiry if they were left ſecure by his predeceſſor. No mortal has been known to have ſeen them. Whether it was, that the government entertained a jealouſy, that the Scots, in their ſickleneſs or diſguſt, would repent themſelves of the union; or, that they dreaded the regalia might, upon an invaſion, fall into the hands of the heir of the houſe of Stuart; it appears probable, that the regalia have been privately removed, by a ſecret order from the court; for it is impoſſible that any governour of the caſtle would abſtract them without authority. If, after this general ſurmiſe, ſo publicly thrown out, the officers of ſtate, and governour of Edinburgh caſtle, will not make perſonal inquiry, whether the regalia of Scotland be ſtill in the caſtle, the public will be entitled to conclude, *that they are no longer there*, and that they have been carried off by private orders from the court.

Beſides the governour, fort-major, gunner, ſtore-maſter, chaplain, &c. &c. there are always in this garriſon a company of invalids, and four or five hundred men, belonging to ſome marching regiment; but, within theſe few months, there were about a 1000 men in it.

Notwithſtanding the natural ſtrength of the caſtle, it is not able to withſtand a ſiege properly conducted. None of the fortifications are of the modern kind, and no part of the caſtle, except the powder-magazine, is bomb-proof. The water, which is very bad, is ſerved in ſcanty ſupply by a draw-well, upwards of an hundred feet deep; and, in the event of a ſiege, the concuſſion of the rock, by the continued diſcharge of artillery, makes the water ſubſide. This garriſon has been frequently battered from Heriot's hoſpital, from Bearford's parks, and even from the Pleaſance; but ſuch are the height and the diſtance, that the caſtle could not be attacked with effect from either of theſe quarters; nor, does it appear, indeed, that a battery of cannon, from any quarter, but the ſtreet called the Caſtle-hill, could make much impreſſion upon it. The garriſon, however, could

A Perspective View of the Parliament House & Exchequer

could not withſtand, for many hours, a well directed bombardment, no part but the powder magazine being bomb-proof, and the area of the Caſtle being almoſt entirely rock, whoſe ſplinters would double the deſtruction of an enemy's bomb-ſhells.

Of the Parliament House.

Of old, when the powers of the crown were not defined, nor public juſtice reſpected, the city of Edinburgh ſuffered manifold oppreſſion from the Sovereign. Among many inſtances of it, the city was, by the royal mandate, ordered to build, at her own expence, courts for the meeting of parliament, and the ſupreme judicatories of the nation. The parliament formerly met in the preſent Tolbooth, which was built by the citizens at the command of Queen Mary A. D. 1561. In the progreſs of refinement in manners, the groſſneſs was diſcovered, of having the ſame apartments allotted for the high court of parliament, for the ſupreme courts of juſtice, and for the confinement of debtors and malefactors; and the city found herſelf under a neceſſity of raiſing a new building for the accommodation of the parliament.

The preſent parliament-houſe was begun A. D. 1631, and compleated A. D. 1640, at the expence of eleven thouſand ſix hundred pounds Sterling.

The parliament-houſe is built in the ſhape of the letter L. It is an hundred and thirty-three feet long, by ninety-eight broad, in the wideſt end, and ſixty in the narroweſt; and, from the ſingularity of the area on which it is reared, although the building be ſixty feet high, yet, upon the north and eaſt ſides, which are the main fronts, it is but about forty feet above ground. The great hall is a hundred and twenty-two feet long, by forty-nine broad. The north end of this apartment is occupied by bookſellers ſtalls; a ſlight timber partition, which runs half way up the wall, divides this from the apartment which was deſtined for the Scottiſh parliament. It muſt be obſerved,

obſerved, that the parliament of Scotland conſiſted but of *one houſe*, compoſed of *the three eſtates*, antiently of the Lords Spiritual, the Lords Temporal and Barons, and commiſſioners from the boroughs; but, after the revolution, of the Lords Temporal, the Barons or knights of the ſhire, and the Boroughs, who ſat and voted together. On the ſouth end of the room is an high throne, erected for the Sovereign, now the Lord Ordinary's * bench. Round the room are wooden ſeats, where the biſhops and the nobility ſat, now occupied by thoſe who have buſineſs before the court. In the midſt of the floor, there were forms for the repreſentatives of the counties and boroughs. On the outſide of a wooden partition is a pulpit, where ſermons uſed to be preached to the parliament, and behind that, a ſmall gallery, where thoſe who were not members might hear the debates of the houſe. Theſe now ſerve no other purpoſe but to accommodate the band of muſick which performs on his Majeſty's birth-day, when the Lord Provoſt of Edinburgh is entertaining the nobility and gentry with wine and ſweet-meats. In the eaſt wall of this room is a marble ſtatue by Roubiliac, of the Lord Preſident Forbes in his robes, erected by the † Faculty of Advocates.

Off this apartment is the Court of Seſſion, with its lobby and robing room for the judges. The court-room is nearly ſquare, well lighted, and, beſides the ſeats for the judges, is accommodated with benches for the advocates and writers to the ſignet, and galleries for ſpectators. This court, in the ſize of the room, and dreſs of the judges, makes a better appearance than the courts of Weſtminſter-hall. Above this room are the Court of Exchequer, and other apartments for the Barons, and other officers of that court, who, beſides, have further accommodation in apartments in an adjacent building,

* One of the judges of the Court of Seſſion ſits alternately in this room, which is called the *Outer houſe*, for deciding of cauſes in the firſt inſtance. He is called the *Lord Ordinary*.

† Beneath the ſtatue is the following inſcription. ‘ Duncano Forbes de Culloden, ſu-
‘ premae in civilibus curiae Praeſidi, judici integerrimo, civi optimo, priſcae virtutis viro,
‘ facultas juridica libens poſuit, anno poſt obitum quinto C. N. M,DCC,LII.

building, called the *Treaſury chambers*; becauſe, formerly, the Lords of the Treaſury uſed to meet in them, and alſo, the Lords of the Privy Council.

The undermoſt floor of the parliament-houſe is, upon the north and eaſt ſides, entirely under ground. It is laid out in ſix apartments, not very well ſuited to the purpoſes to which they are preſently applied. In two of them, the public records of the nation are kept. The other four are generouſly beſtowed by the town-council of Edinburgh on the Faculty of Advocates, for accommodating their magnificent library.

Of the Advocates Library.

This is a very valuable collection, and is managed upon principles, and with an attention which render it as uſeful, as it is valuable. The celebrated Sir George Mackenzie, Lord Advocate of Scotland, had the merit of projecting this inſtitution, and of founding it A. D. 1682. For ſome time after its inſtitution, no regular fund was appropriated to the uſe of the library; and it derived its ſupport chiefly from donations made to it. The catalogue of noble, and even royal donors, evince how much it has been thought to deſerve encouragement. As every advocate, at his admiſſion, pays a certain ſum to the faculty, part of this was allotted to ſupply the library; and, as the admiſſion-money has been raiſed, the quota for the library has been increaſed proportionally. The ſtatute of Queen Anne, which, for the encouragement of learning, veſts in authors a literary property, or monopoly over their works, alſo aids this collection: For by this it is provided, that, to entitle the author to that monopoly, a copy of every book entered in Stationers-hall muſt be ſent to the Advocates Library, as well as to the univerſities of the united kingdoms.

This collection amounts to upwards of thirty thouſand volumes, in all ſciences, and in many languages. Of theſe, a catalogue, in two

two volumes folio, of about ſix hundred pages each, has been made out. The firſt was publiſhed in A. D. 1742, by the learned Ruddiman, who is the beſt antiquarian Scotland has produced, and by Mr Walter Goodall, keepers of this library. The ſecond, conſiſting of its late acquiſitions, was compiled, A. D. 1776, by Mr Alexander Brown, the preſent librarian, whoſe accuracy and obliging diſpoſitions render his management of this library extremely acceptable to the proprietors. Both volumes are made out upon the plan of the *Bibliotheca Card. Imperialis*. It may not be amiſs here to obſerve, that DAVID HUME was ſome time keeper of this library.

The books are lent out to the members of faculty in ſuch a manner that the inſtitution is more uſeful than that of any library we know.

Beſides printed books, the faculty are in poſſeſſion of a valuable collection of manuſcripts, conſiſting of the regiſters of many of the Scottiſh monaſteries, of illuminated miſſals, and of many volumes of original papers relating to the affairs of Scotland, as well as copies of others which have been preſerved by Sir Robert Cotton, or are extant in the public offices in England. The faculty are alſo poſſeſſed of a collection of prints, which has, of late, been enriched by donations from ſome of the moſt celebrated engravers. It muſt, however, be confeſſed, that due attention has not been paid towards ſupplying the library with productions in this elegant branch of the fine arts.

Among other curioſities, the faculty are poſſeſſed of an entire mummy, preſerved in its original cheſt. This was purchaſed by the late Earl of Morton, Lord Regiſter of Scotland, at the expence of L. 300, and was by him preſented to the faculty.

In A. D. 1705, the faculty purchaſed, and are ſtill (as we have been told) in poſſeſſion of a collection of coins and medals, to the number of between three and four thouſand. Theſe are partly Greek, Roman, Saxon, Scottiſh, and Engliſh. They are not in the cuſtody of the librarian. For years, they have been as utterly loſt

to

to the whole world, as if they had been buried in the deep. Not only are viſitors with-held from inſpecting them, but even the members of faculty cannot get acceſs to them. Inſtances have been repeatedly made in the faculty, for rectifying ſuch abſurd management; but they have been always ſhifted with a fair anſwer and a ſmile, by thoſe who aſſume to themſelves the controul of the whole affairs of this ſociety.

The parliament-houſe forms part of the ſouth and weſt ſide of the ſquare, which goes by that name; the weſt ſide of which is compleated by the goldſmiths-hall. The north ſide is formed by the cathedral church of St Giles, diſfigured by low booths, built adjoining to the walls of the church, poſſeſſed by jewellers. The eaſt ſide, and part of the ſouth, are occupied by houſes of a vaſt height, being in their front ſix ſtories high; but, by reaſon of the inequality of the ground, on the back, or ſouth ſide, eleven ſtories, beſides garrets. In this ſquare there is a fine equeſtrian ſtatue in metal, of Charles II. The figure is in the Roman dreſs, holding in the right hand a truncheon. The execution of the whole is admirable. From the inaccuracy of the town-council regiſter at that period, it does not appear by whom, or at whoſe expence this ſtatue was made. The city, however, raiſed a pedeſtal for it, on * which the ſtatue was erected, A. D. 1685; but upon the pedeſtal there is no inſcription.

Of the Tolbooth.

We have already obſerved, that the tolbooth was built by the citizens, A. D. 1561, and deſtined for the accommodation of the parliament and courts of juſtice, and for the confinement of debtors and malefactors. Such, however, is the change of manners, that now it is unfit for any of theſe purpoſes. Since A. D. 1640, this building has been uſed ſolely for a jail. The ground-floor, indeed, which

* Council reg. 7th January 1685.

which does not communicate with the reſt of the building, is let out in ſhops. The three ſtories above are places of reſtraint, deſtined for the wretched. The abridgement of perſonal liberty hath ever been held one of the moſt odious reſtrictions upon the rights of mankind; ſo, although diſorders, inſeparable from ſociety, render it neceſſary to impoſe occaſionally this odious reſtraint; although, for the moſt part, it is not uſed for the puniſhment of delinquents, but for preventing their eſcape from juſtice; yet ſuch has been the inattention or inhumanity of legiſlators, and ſtill more of thoſe who are intruſted with the execution of the laws, that this preliminary to trial is the ſevereſt of puniſhments.

We do not think it poſſible, that a nation can attain to improvement in ſcience, to refinement of taſte, and in manners, without, at the ſame time, acquiring a refinement in their ideas of juſtice, and feelings of humanity. The codes of the criminal laws of moſt nations (our own in no ways excepted) are exceedingly barbarous. This is owing to their having been compiled when the reſpective nations were ſunk in barbarity, were ſubjected to an abſolute government, or were blinded with religious bigotry. But, although ſcarce any attention has been paid to the ſtate of criminal juriſprudence, by reviſing the penal ſtatutes; yet, with the increaſing mildneſs of manners, the officers * of the law have declined to raiſe proſecutions for inflicting thoſe rigorous puniſhments.

The next ſtep in the progreſs of humanity, is to aboliſh the frequency and tedioufneſs of impriſonment, for trifling cauſes, ſtill permitted by the law. It appears very inhumane, that a perſon ſhould

* Trials by preſentment or indictment by a grand jury, for capital offences, are not known in Scotland. The Lord Advocate may, of himſelf, form an indictment againſt any perſon for any crime he chuſes to pitch upon; the perſon ſo accuſed muſt be put upon trial; nor does it appear, that, ſuppoſing the priſoner to be acquitted by the jury, and that the accuſation was calumnious, or even malicious, he could have an action of damages, or even for his expences. This is a dangerous power to be intruſted to an individual. However, no inſtances have occurred, for a long period, of this truſt being abuſed from any ſelfiſh, and very few from political motives.

ſhould ſuffer cloſe impriſonment for many months, for no other cauſe than that he is owing a few pounds to a rigorous creditor; while, at the ſame time, the creditor can, by law, not only impriſon the perſon of his debtor, but can attach all his effects, real and perſonal, for the payment of his debt. It has been provided, by the humanity of the law, that, after a perſon has lain thirty days in priſon, he may, upon ſurrendering his whole effects, raiſe an action, by which he will be entitled to be liberated from jail; yet it frequently happens, (we know not how), that poor people will be detained in priſon many months * for the moſt trifling ſums. This tediouſneſs of confinement is the more ſevere; becauſe, in Scotland, a man's houſe is no protection to him; but, when a writ is iſſued againſt any one for debt, his houſe may be broke open at any hour of the night or day; becauſe the Scottiſh priſons are not (like thoſe of the King's Bench, Newgate, Lancaſter caſtle, &c.) accommodated with an area, where the priſoners may enjoy the freſh air; but it ſeems the inhumane ſpirit of her laws breathes, that the more loathſome the priſon, the fitter † for a debtor; and becauſe a meſſenger or creditor is at liberty to indulge his ‡ caprice, in chuſing out for his debtor, a priſon the moſt loathſome and inconvenient.

The liberality and humanity of the Engliſh, in erecting ſo magnificent a building for a jail as Newgate, deſerve the higheſt applauſe. The reſolution, the humanity, and the attention of its preſent keeper, Mr Akerman, fulfilling the intentions of the legiſlature, are worthy of no leſs commendation. The ſtate of Edinburgh tolbooth is far otherwiſe. There the auſterity of the law, and the rigour of

* Upon examining the reports made by the clerk of Edinburgh tolbooth to the magiſtrates, we found a perſon, then lying in jail, had been confined for five months. The debt booked againſt him was but L. 3. Such confinements (we found) were not uncommon.

† 'After a debtor is impriſoned, he ought not to be indulged with the benefit of the 'free air, either on his parole, or even under a guard; for every creditor has an intereſt 'that their debtor be kept under cloſe confinement, that, by the *ſqualor carceris*, he may 'be brought to the payment of his juſt debt.' *Erſkine's Inſtitutes of the law of Scotland, p.* 689.

‡ Stair's Inſt. p. 748.

an unfeeling creditor, may be gratified, in their utmoſt extent. In the heart of a great city, it is not accommodated with ventilators, with water-pipe, with privy. The filth collected in the jail is thrown into a hole within the houſe, at the foot of a ſtair, which, it is pretended, communicates with a drain; but, if ſo, it is ſo compleatly chocked, as to ſerve no other purpoſe but that of filling the jail with diſagreeable ſtench. This is the more inexcuſable, ſince, by making a drain to the north, over a very narrow ſtreet, ſuch a declivity might be reached, that, with the help of water, of which there is command, the ſewer might be kept perfectly clean. When we viſited the jail, there were confined in it about twenty-nine priſoners, partly debtors, partly delinquents; four or five were women, and there were five boys. Some of theſe had what is called *the freedom of the priſon*, that is, not being confined to a ſingle apartment. As theſe people had the liberty of going up and down ſtairs, they kept their rooms tolerably clean ſwept. They had beds belonging to themſelves; and, in one room, we obſerved a pot on the fire. But, wherever we found the priſoners confined to one apartment, whether on account of their delinquencies, or that they were unable to pay for a little freedom, the rooms were deſtitute of all accommodation, and very naſty. All parts of the jail were kept in a ſlovenly condition; but the eaſtern quarter of it, (although we had fortified ourſelves againſt the ſtench), was intolerable. This conſiſted of three apartments, each above the other. In what length of time theſe rooms, and the ſtairs leading to them, could have collected the quantity of filth which we ſaw in them, we cannot determine. The undermoſt of theſe apartments was empty. In the ſecond, which is called *the iron room*, which is deſtined for thoſe who have received ſentence of death, there were three boys; one of them might have been about fourteen, the others about twelve years of age. They had been confined about three weeks for thieviſh practices. In the corner of the room, we ſaw, ſhoved together, a quantity of duſt, rags, and ſtraw, the refuſe of a long ſucceſſion of criminals. The

ſtraw

ſtraw had been originally put in the room for them to lie upon, but had been ſuffered to remain till, worn by ſucceſſive convicts, it was chopped into bits of two inches long. From this, we went to the apartment above, where were two miſerable boys, not twelve years of age. But there we had no leiſure for obſervation; for, no ſooner was the door opened, than ſuch an inſufferable ſtench aſſailed us, from the ſtagnant and putrid air of the room, as, notwithſtanding our precautions, utterly to overpower us.

Nothing but the habit of ſeeing priſoners in a wretched ſituation, influences the mind to behold ſuch ſcenes unmoved. Nothing can be more inhumane than ſuch treatment of priſoners. Does any gentleman uſe his horſes or his dogs ſo? Would he not turn off the groom who was guilty of ſuch cruel neglect.

Want of humanity is not the characteriſtick of the age in general, nor of the city of Edinburgh in particular. The inſtitutions of the Charity work-houſe for reception of the poor, and of the Royal Infirmary for the relief of the diſeaſed, are monuments of the contrary *. Why, then, ſhall the diſtreſs of priſoners alone, from whoſe ſituation calamity is inſeparable, remain unalleviated? But orders, without end, may be pronounced with no manner of effect, if all is truſted to the jailor, if the magiſtrates of royal boroughs will not give themſelves the trouble to inſpect the priſons within their juriſdiction. To remedy the ſhameful defects in Edinburgh jail, already pointed out, if the Lord Provoſt and magiſtrates would inſpect it, or if the members of the town-council would viſit the jail once a week alternately, the trouble would not fall to the ſhare of an individual above twice a year; and all theſe abuſes would be corrected. The Lord Provoſt of Edinburgh is captain of the jail. Let it not be ſaid that he never vindicates his office, but when inſtances of political neceſſity occur.

A

* 'Naked, and ye clothed me: I was ſick, and ye viſited me: *I was in priſon, and ye came unto me.*' St Matthew, chap. xxv. v. 36.

A groſs abuſe reſpecting this jail remains ſtill to be mentioned. The jailor has a monopoly over the liquors and bread uſed in the priſon. By this means, he may give them of what quality he pleaſes; he alſo exacts for them extravagant rates; for inſtance, whiſky *, which, in public houſes, is ſold for two pence, or two pence halfpenny a gill, is there ſold for three-pence. To make people who are confined for debt pay more for their proviſions than thoſe who are in opulence, and at their liberty, is the moſt prepoſterous cruelty; therefore, the quality of the proviſions furniſhed, and the prices exacted by the jailor, ought to be carefully attended to by the magiſtrates.

There is a chaplain appointed to this priſon, who has a ſalary of thirty pounds a year. It is his duty, in a ſpecial manner, to obſerve the ſtate of the priſon, and give information of every abuſe.

Of the Canongate Tolbooth.

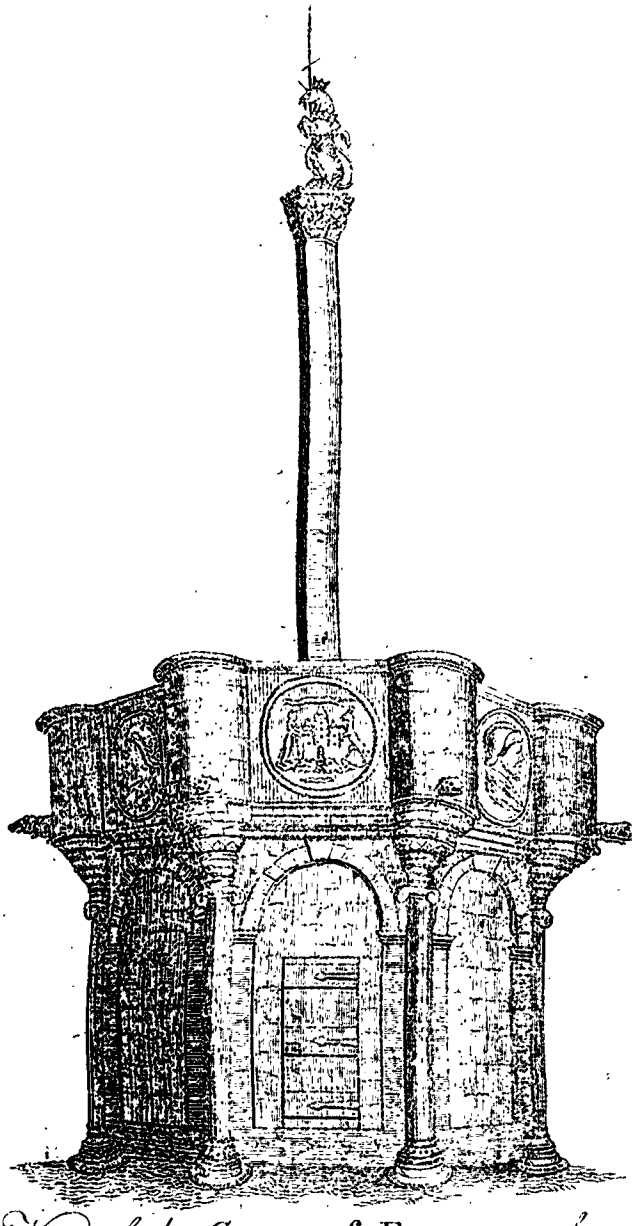
In the middle of the ſtreet which goes by this name, is a court-room for the magiſtrates of the Canongate, and a priſon. Theſe were built in the reign of James VI. Debtors of the better ſort are † commonly taken to this priſon, which is well aired, has ſome decent rooms, and is kept tolerably clean.

Of the Cross of Edinburgh.

The croſs of Edinburgh was an antient ſtructure of mixed architecture, partly Grecian, partly Gothick. The building was an octagon, of ſixteen feet diameter, and about fifteen feet high, beſides the

* Whiſky is a ſpirituous liquor uſed by the poorer claſs of people in Scotland. Sometimes it is diſtilled from corn, ſometimes from potatoes, ſometimes from any vegetable traſh that will ferment.

† On the front of the building is this inſcription: 'J. R. 6. Juſticia et pietas validæ 'ſunt principis arces.'



A View of the CROSS of EDINBURGH *from the West*
This ancient Fabric was taken down 13 of March 1756
A. Cameron sculp.

the pillar in the centre. At each angle, there was an Ionick pillar, from the top of which a ſpecies of Gothick baſtion projected; and, between the columns, there were modern arches. Upon the top of the arch, fronting the Netherbow, the town's arms were cut, in the ſhape of a medallion, in rude workmanſhip. Over the other arches, heads alſo, cut in the ſhape of a medallion, are placed. Theſe appear to be much older workmanſhip than the town's arms, or any other part of the croſs. Four of them are preſerved in the tower built at Deanhaugh by Mr Walter Roſs writer to the ſignet. They are in *alto relievo*; the engraving is good, but the Gothick barbarity of the figures themſelves bears the appearance of the lower empire. One of the heads is armed with a caſque; another is adorned with a wreath, reſembling a turban; a third has the hair turned upwards, from the roots towards the occiput, whence the ends of the hair ſtand out like points. This figure has over its left ſhoulder a twiſted ſtaff, probably intended for a ſceptre. The fourth is the head of a woman, with ſome folds of linen artleſsly wrapped round it.

The entry to this building was by a door fronting the Netherbow, which gave acceſs to a ſtair in the inſide, leading to a platform on the top of the building. From the platform, roſe a column, conſiſting of one ſtone upwards of twenty feet high, and of eighteen inches diameter, ſpangled with thiſtles, and adorned with a Corinthian capital, upon the top of which was an Unicorn.

From the croſs of Edinburgh, royal proclamations, and the more ſolemn denunciations of law, were publiſhed. There, alſo, before the art of printing, the mode of publiſhing acts of parliament was by the heralds reading them aloud from the croſs.

When plans were formed for enlarging and beautifying the city, this building was reckoned to incommode the ſtreets. It was accordingly removed on the 13th of March 1756, by order of the town-council, with concurrence of the Lords of ſeſſion and juſticiary. The place whereon it ſtood is marked, by the cauſeway being paved in the figure of an octagon, with radii diverging from a

ſtone

ſtone in the centre. Public proclamations continue to be made there. There alſo company daily reſort, from one to three o'clock, for news, buſineſs, or meeting their acquaintances, nobody frequenting the exchange. Four of the heads which were over the arches in the croſs, are built up in Mr Roſs's tower, as has been already obſerved. The pillar is preſerved in Lord Sommerville's park, in the neighbourhood of Edinburgh.

There was another croſs in the Canongate, oppoſite to St John's-ſtreet, called St John's-croſs; a third oppoſite to the Canongate-church, now erected cloſe to the walls of the tolbooth; and a fourth called the *Girth croſs*, from its being the boundary of the ſanctuary.

Of the Town Guard-House.

If the croſs was removed as a nuiſance, a much greater one is allowed to remain, the town guard-houſe, a huge miſhapen hulk. This, we underſtand, is ſpeedily to be removed; nor can there be any excuſe for allowing it longer to incumber the ſtreets, ſince the building, preſently erecting by the town-council, on the weſt ſide of the bridge, will afford good accommodation for the town-guard, is centrical in its ſituation, in caſe of fire, or other occaſions of diſturbance, and will be very well adapted for the confinement of nocturnal rioters.

Of the Weigh-House.

At that part of the high-ſtreet where the Lawn-market terminates, and the Caſtle-hill begins, a public weigh-houſe is ſituated in the middle of the ſtreet, for weighing goods. This building was formerly accommodated with a ſpire, in which there was a clock. Theſe were removed about a hundred years ago, (one would be tempted to conclude), for no other reaſon, but becauſe they ſerved, in ſome ſhape, to ornament a clumſy building, which incommodes the ſtreet, and ought to be pulled down as a nuiſance.

Of

LIBRARY
OF THE
BOMBAY
BRANCH
OF THE
R.A.S.

A. Runciman pinxt. A. Cameron sculp.

EAST VIEW OF THE PORCH OF HOLYROOD HOUSE ABBEY

Of the Palace of Holyrood-house.

This building has undergone various changes, none of what now remains can lay claim to antiquity, the ruins of the chapel excepted. The north-weſt towers were built for a royal reſidence, by James V. whoſe name is to be ſeen at the bottom of a nitch, in the north-weſt tower of the palace. It was burned by the Engliſh, in the minority of Mary Queen of Scots, but was ſpeedily repaired. It then became a larger building than the preſent, and conſiſted of five courts. The weſtmoſt, which was the outermoſt court, was larger than all the reſt. It was bounded on the eaſt by the front of the palace, which occupied the ſame ſpace with its preſent front, and alſo extended further ſouth. The three remaining ſides of the outer-court were bounded by walls; and, at the north-weſt corner, there was a ſtrong gate, with Gothick pillars, arches, and towers, part of which has been pulled down within theſe thirty years. The next court occupied the ſame with the preſent central court of the royal palace, and was ſurrounded with buildings. On the ſouth there were two ſmaller courts, alſo ſurrounded with buildings; and there was another court on the eaſt, which was bounded on the north by the chapel royal, on the weſt by a * line of buildings covering the ſame ſpace with the preſent eaſt front of the palace. On the ſouth, by a row of buildings which are now demoliſhed, and on the north by a wall which divided it from St Ann's yards. Great part of this palace was burned by Cromwell's ſoldiers. It was ordered to be repaired at the reſtoration. Accordingly the preſent magnificent fabrick was deſigned by Sir William Bruce, a celebrated architect, in the reign of Charles II. and executed by Robert Mylne maſon.

The palace of Holyrood-houſe bears a reſemblance to that of Hampton court. It is of a quadrangular form, with a court in the

* Gordon's map of Edinburgh, A. D. 1646.

centre, ſurrounded with piazzas. The front is two ſtories high, and flat in the roof; but, at each end where the front projects, and is ornamented with circular towers at the angles, the building is much higher; the reſt of the palace is three ſtories high. Over the door, in the front of the palace, is a ſmall cupola for a clock, the roof of which is an imperial crown in ſtone-work.

The only apartments which are worth viewing, are thoſe poſſeſſed by the Duke of Hamilton, heritable keeper of the palace. Theſe occupy all that remains of the old palace. The young Chevalier lodged in them during his reſidence in Edinburgh, and a few weeks afterwards, the Duke of Cumberland occupied the ſame apartments, and the very ſame bed, which is ſtill ſtanding. In the ſecond floor are Queen Mary's apartments, in one of which her own bed ſtill remains. It is of crimſon damaſk, bordered with green ſilk taſſels and fringes, and is now almoſt in tatters. The cornice of the bed is of open figured work, in the preſent taſte; but more light in the execution than any modern one we have ſeen. Cloſe to the floor of this room, a piece of wainſcot, about a yard ſquare, hangs upon hinges, and opens a paſſage to a trap-ſtair which communicates with the apartment beneath. Through this paſſage Lord Darnley, and the other conſpirators *, ruſhed in to murder Riccio. The Queen was then ſupping with the Counteſs of Argyle and Riccio, in attendance, in a cloſet off her bed-chamber, about twelve feet ſquare, the preſent north-weſt tower of the palace. Riccio was puſhed out of the cloſet, dragged through the bed-chamber, into the chamber of preſence, where, being pierced with redoubled wounds †, he expired.

Thoſe chambers which are called the royal apartments, occupy three ſides of the ſquare on the firſt floor. On the north is a ſpacious gallery, of which, however, the height bears no proportion to the

* Robertſon's hiſt. of Scotland, appen. No. 15. to vol. 1.

† Towards the outward door of this apartment, there are, in the floor, large duſky ſpots, ſaid to have been occaſioned by Riccio's blood ſtaining the floor, which waſhing of the boards has not been able to take out.

the length. This apartment is entirely hung with pictures of a race of a hundred and eleven monarchs, through an imaginary ſeries of upwards of two thouſand years. The folly of the legend, and the baſeneſs of the execution, in pourtraying theſe monarchs, whether real or imaginary, would make it for the honour of the country that they were utterly deſtroyed. We ſaw, indeed, that an attempt had been made at their deſtruction, which was not eaſily to be accounted for. Not only were moſt of them hacked and ſlaſhed, but in many of them large pieces cut out. This we afterwards learned was owing to General Hawley's having thought proper, after the defeat of the King's army at Falkirk, to quarter his troops in the gallery of this palace, and theſe *well diſciplined troops* thought they could not better manifeſt their loyalty to King George, than by defacing, and hewing in pieces, every repreſentation of the Scottiſh monarchs *.

We afterwards went through a ſuit of rooms, one of which has been intended for a ſtate bed-chamber, and the two next for a drawing room and dining room. In the laſt of theſe, we ſaw ſome wooden forms; and, upon inquiring what purpoſe they ſerved, were told, that it was to accommodate the Scottiſh peerage, as the election of *the ſixteen* was held in that apartment. In this ſuit, the rooms are wainſcotted with oak; the feſtoons of flowers and foliage over the doors and mantle pieces are well executed; but the ſtucco ornaments of the roofs, ſimilar to all thoſe of that period, are heavy. The apartments on the ſouth ſide of the ſquare have never been finiſhed but in a very pityful manner. We found them made uſe of as lumber rooms for ſome of the nobility, who have lodgings within the palace.

We had heard of a picture of Charles I. and his Queen, being in what is called Lord Dunmore's lodgings, which induced us to viſit

* This was comparatively a modeſt teſtimonial of loyalty. *The ſame gallant troops*, about a fortnight afterwards, were quartered in the royal palace of Linlithgow. After receiving a night's lodging in it, they were pleaſed to burn it to the ground.

them. The apartments are few, of a pityful ſize, miſerably finiſhed, and no furniture in them, except the picture already mentioned, and thoſe of their preſent Majeſties. That picture repreſents Charles I. and his Queen, in a ſort of Vandyke riding habit, as going out a hunting, attended by a dwarf, ſpaniels, &c. The figure of the King is done in a maſterly manner; but the painter has not beſtowed on Henrietta thoſe graces which ſhe poſſeſſed. The Queen's palfrey, led by a negroe, and a horſe for his Majeſty, are alſo introduced. But the palfrey is out of all ſhape and proportion, the body being by much too groſs for the ſize of the horſe. The pictures of their preſent Majeſties are full length portraits by Ramſay.

This magnificent palace is of no uſe whatever, except the part which is occupied by the Duke of Hamilton; and the whole is falling into decay for want of being poſſeſſed, and kept in repair. That it is to be even of temporary uſe to the royal family, is a proſpect with which Scotland does not flatter herſelf. To what uſe, then, ought this palace to be applied? To a purpoſe highly beneficial, and for which a building of this ſort is much wanted, to the uſe of the College. The College is compoſed of a ſet of very mean buildings, neither fit to accommodate, nor ſuited to the dignity of ſuch an Univerſity. The city of Edinburgh is ſo embarraſſed in her funds, that it is impoſſible for her to advance a ſum ſufficient to build a new College. We have ſeen already, that Edinburgh has, on former occaſions, been obliged to rear very expenſive buildings for the accommodation of the ſtate. It is, then, but retribution, that the government ſhould beſtow on the city a building of no uſe to the ſtate, but which, thus applied, will be conducive to the purpoſes of ſcience, to which its retired ſituation is excellently adapted. If this meaſure ſhould not be embraced, two conſequences ſeem probable, that Edinburgh will not be accommodated with a College, and that the palace of Holyrood-houſe, like the chapel, will go to ruin. For theſe reaſons, it would ſeem adviſable, that Holyrood-houſe was veſted in

in the town-council of Edinburgh for the purpoſe of a College, the buildings to be perpetually kept up at the city's expence; and, by reſerving * to the Duke of Hamilton the lodgings poſſeſſed by him, a temporary accommodation would be provided for any of the royal family who may incline to viſit the capital of Scotland.

The environs of the palace afford an aſylum for inſolvent debtors. Adjoining to it, there is an extenſive park, firſt incloſed by James V. all of which is a ſanctuary. This is a very ſingular piece of ground, to be in the near neighbourhood of a populous city. It is little elſe than an aſſemblage of hills, rocks, precipices, moraſſes, and lakes. In the memory of people not long ſince dead, the level-ſtrip, at the foot of the hill, which, from the Duke of York's having delighted to walk in it, bears the name of *the Duke's walk*, was covered with tall oaks. But now, there is hardly a ſingle tree in its whole boundaries. Indeed, it is extremely doubtful, if, except at the bottom, there were ever any trees on theſe hills, the height of the ground, and barrenneſs of the ſoil, being very unfavourabe for their growth.

The moſt conſiderable of theſe hills are called Arthur's-ſeat, and Saliſbury-craigs. The genius of modern criticiſm has diſplayed itſelf, in deriving all Scots names from the Earſe; and the profound criticks, under a grave maſk of ingenuity, argue learnedly upon the derivation of names, from certain words, in a language of which they do not underſtand, and perhaps cannot pronounce, one ſyllable. We are not able to combat thoſe champions with their own weapons. But, after all, the learned derivations of *Arthur's-ſeat, and Saliſbury's-craigs*, we muſt be pardoned for ſuppoſing the former to be derived from Arthur, the Britiſh Prince, who †, in the end of the ſixth century, defeated the Saxons in that neighbourhood; and the latter, to take their name from the Earl of Saliſbury, who, in the reign of Edward III. accompanied that Prince in an expedition againſt the Scots. What makes the latter of theſe the more probable,

* In this event, the Duke of Hamilton, and his heirs and ſucceſſors, as heritable keepers of the palace, might be impowered to ſee that it ſhould be kept in due repair.

† Whitaker's hiſtory, v. 2. p. 54.

bable, is, that, in old authors, the name of theſe hills is indifferently ſpelled, *Saliſbury and Sarezbury;* ſo alſo is the name of that Lord.

Arthur's-ſeat, the largeſt of theſe hills, riſes by a ſteep and rugged aſcent, till it terminates in a rocky point, ſeven hundred feet high from the baſe. Upon the weſt, are Saliſbury-craigs, which preſent to the city an awful front of broken rocks and precipices, forming a ſort of natural amphitheatre of ſolid rock. Among theſe rocks, are rich ores, ſpar, and great variety of rock plants; ſo that they are an excellent field for the naturaliſt. Sometimes, alſo, amethyſts, and other precious ſtones, have been found among them. But the rocks themſelves are far more valuable, affording an inexhauſtible ſupply of hard ſtone for paving the ſtreets; and of theſe ſtones, conſiderable quantities are ſent for paving the ſtreets of London. Between Arthur's-ſeat and Saliſbury-craigs is a recluſe valley, the bottom of which is a moraſs. Immediately upon deſcending into this valley, the view of Edinburgh is totally loſt; the imperial proſpect of the city and caſtle, which theſe rocks in a manner overhang, is intercepted by Saliſbury-craigs. Seldom are human beings to be met in this lonely vale, or any creatures to be ſeen, but the ſheep feeding on the mountain, and the hawks and ravens winging their flight among the rocks. After the eye paſſes the ruins of St Anthony's chapel, at a diſtance beneath, are ſeen a magnificent mauſoleum, and the ruins of the church of Reſtalrig, and the fields gently ſloping to the Forth. The town of Leith, the navigation in the river, and the Iſland of Inchkeith, enliven the proſpect which is terminated by the bold ſhores, and mountainous parts of Fife.

On the ſouth, Arthur's-ſeat is in many parts a perpendicular rock, compoſed of natural pillars, regularly pentagonal, or hexagonal, about three feet in diameter, and from forty to fifty feet high. At the bottom of the rock, is a lake belonging to the Earl of Abercorn, called Dudingſton loch; beyond it, are ſeen his Lordſhip's elegant villa, Craigmillar caſtle, the village of Invereſk, Muſſelburgh bay, the

the ſouthern banks of the Forth; and, at a great diſtance, North Berwick Law, like a vaſt cone ſeeming to riſe from the waves.

Of the Royal Exchange.

With the increaſing opulence of the nation, and populouſneſs of Edinburgh, the citizens felt, with additional ſeverity, the inconvenience they had long laboured under, of being ſtraitened in ſpace, for lodging of private families, and deſtitute of public buildings neceſſary for accommodating thoſe ſocieties which aſſemble in populous cities, to direct the buſineſs of the country, and provide for its general wellfare. Men of taſte, rank, and opulence, diſplayed a patriotick exertion of ſpirit for the improvement of the capital; the royal boroughs promoted liberally the advancement of their antient metropolis; and the authority of parliament was interpoſed for enlarging and beautifying * the city of Edinburgh.

In proſecution of this general plan of improvement, the commiſſioners † appointed by parliament for carrying theſe purpoſes into execution, thought it adviſable to begin with building an exchange for the accommodation of merchants. To this effect they impowered the town-council to contract with tradeſmen for the building; and the area on the north ſide of the croſs, then occupied by ruinous houſes, was pitched upon as moſt ſuitable for the purpoſe.

The foundation of the intended building was laid with great formality on the 13th September 1753. George Drummond, Eſq; then Grand Maſter of the Free Maſons, whoſe memory, as a patriotick magiſtrate, will ever be revered by the citizens, performing the principal part in this ceremony. To add to its ſolemnity, a triumphal ‡ arch, theatres for the magiſtrates, and officers of the grand lodge,

* George II. an. 26. c. 36. † Theſe commiſſioners were choſen from among the nobility who patroniſed the ſcheme, from the different bodies compoſing the college of of juſtice, and from the town council of Edinburgh. ‡ Council reg. 12th June 1754. Scots mag. v. 15. p. 425. vol. 16. p. 409.

lodge, and galleries for the other lodges and ſpectators, were erected upon the occaſion. The contract, however, for carrying on the building, was not ſettled till the 12th of June 1754, and next day the work was begun.

The Exchange is a large and elegant building, of a ſquare figure, with a court in the centre. The principal part of the building forms the north ſide of the ſquare, and extends from eaſt to weſt an hundred and eleven feet over wall, by fifty-one feet broad. Pillars and arches ſupporting a platform, run along the ſouth front which faces the ſquare, and form a piazza. In the centre, four Corinthian pillars, whoſe baſes reſt upon the platform, ſupport a pediment, on which the arms of the city of Edinburgh are engraved. This building is to the ſouth or main front ſixty, but, by reaſon of the extreme inequality of ſurface, is, to the north, an hundred feet high. The firſt floor of the main front is laid out in ſhops. The upper floors are occupied by the board of cuſtoms, who have upwards of twenty apartments; for theſe they pay to the city a rent of L. 360 a-year. The acceſs to theſe apartments is by a hanging ſtair, of which the well is twenty feet ſquare, and ſixty feet deep.

From each end of the principal building, two wings extend themſelves ſouthwards a hundred and thirty-one feet; but, if the breadth of the principal building is alſo reckoned, the extreme dimenſions of the whole amount to one hundred and eighty-two feet ſouth and north, by one hundred and eleven feet eaſt and weſt, upon the north front; but, upon the ſouth front, a hundred and forty-ſeven. The ſouth ſide of the ſquare is formed by a light colonnade, about twenty-five feet high, with a platform on the top, adorned with pilaſters and vaſes. The centre arch under the colonnade, is the entry to the court; the other arches are built up, and let out in ſhops. The court itſelf, ſurrounded by theſe buildings, is, in its dimenſions, ninety-ſix feet ſouth and north, including the piazza, by eighty-ſix eaſt and weſt. The expence of the whole building, including the price paid for the area, amounted to L. 31457 Sterling.

A VIEW OF THE NEW-BRIDGE OF EDINBURGH, WITH THE ADJACENT BUILDINGS OF THE OLD AND NEW TOWN, FROM THE WEST

ling. It is ſomewhat remarkable, that, although the north front of the Exchange is a building of hewn ſtone, upwards of an hundred feet ſquare, there is not a rent or crack perceivable in the whole.

Of the Bridge, and of the Extended Royalty.

The Exchange being finiſhed, the next object to which the magiſtrates of Edinburgh, and the truſtees appointed by parliament for the improvement of the city, turned their attention, was to build a bridge of communication with the fields on the north, and to obtain over them an extenſion of the royalty. Theſe were part of the original plan propoſed for the improvement of the city, A. D. 1752; and to aſſiſt the magiſtrates in effectuating theſe meaſures, the truſtees made over to them a balance of L. 3000, which then remained in the hands of the truſtees, after what they had advanced towards building the Exchange. But the firſt ſteps towards carrying theſe meaſures into execution, were moved A. D. 1759. At that time the magiſtrates of Edinburgh prepared the draught of a bill, to be laid before the parliament for the extenſion of the royalty, which they thought it eſſential for them to obtain before the building of a bridge. They deſiſted, however, from the intended application, in conſequence of the oppoſition to it, formed by the landholders in the county: By thoſe very gentlemen, who, afterwards, upon the bridge being built, and royalty extended, prepared for the citizens a ſcheme of unparallelled oppreſſion, by propoſing to exact new and additional tolls, on all quarters of the city, for the purpoſe of building a bridge of communication to the ſouth, on ſuch terms as behoved to ruin the property in the antient and extended royalties, and in a manner to render them deſolate.

The magiſtrates of Edinburgh, defeated in their purpoſe of obtaining an extenſion of the royalty, ſet themſelves about building a bridge without it. Accordingly, in A. D. 1763, the North Loch was drained, and the mud removed, in order to the finding a proper

foundation. The firſt ſtone was laid by George Drummond, Eſq; Lord Provoſt of Edinburgh, on the 21ſt of October 1763; but the contract for building the bridge was not ſigned till the 21ſt Auguſt 1765. The parties to this contract were the town-council of Edinburgh, and William Mylne architect, brother to the perſon who built Blackfriars bridge. By this agreement Mr Mylne became bound to build a bridge of communication between the high-ſtreet and the fields on the north, for the ſum of L. 10140 Sterling. The work was to be compleated before Martinmas 1769, and Mr Mylne engaged to uphold it for ten years. A wonderful infatuation and misfortune have attended the magiſtrates of Edinburgh in all their conduct reſpecting the bridge and the extended royalty. It was ſuggeſted by one of the city-clerks, that an overſeer ſhould be appointed to ſuperintend the work. This the chief magiſtrate, for the time, ſpurned at, as an indignity offered to Mr Mylne, and as ſuch it was rejected. Mr Mylne proceeded with his work. He had well nigh compleated it by the time ſpecified, when, on the 3d Auguſt 1769, the vaults, and ſide-walls on the ſouth end of the bridge, gave way, and five people were buried in the ruins.

Three eminent architects were immediately conſulted upon the cauſe of this misfortune, and the mode of repairing the bridge. They gave in a report accordingly; but, at that time, they had only diſcovered the more palpable cauſe of the tumbling of the bridge, namely, the immenſe undigeſted maſs of earth which was piled upon the vaults and arches, in order to raiſe the bridge to a proper level. For this purpoſe, the greater load of earth became neceſſary, as Mr Mylne, either from an error in taking the altitude, or with a view to ſave money, had fallen ſhort eight feet in the height of the piers ſtipulated by contract. The other cauſe of the downfall of the bridge was the inſufficiency of the foundation. We have had occaſion, repeatedly, to remark the inequality of the ſurface in the city of Edinburgh; now, when the houſes on the north

of

of the high-ſtreet, had long ago been built, thoſe who dug the foundations would naturally throw the earth north from them into the hollow waſte. By this means, and by the rubbiſh accumulated in the courſe of time, the ground on the north ſide of the town was, to a conſiderable depth, not natural, but travelled earth. It would appear that Mr Mylne, not adverting to theſe circumſtances, and entertaining no ſuſpicion of any difficulty about the foundation in that part, had truſted it to his workmen, who, in digging for the foundation, ſtopped ſhort when there were *eight feet deep* * of travelled earth between the foundation and the natural ſolid maſs.

The bridge was relieved and repaired, by pulling down the ſide-walls in ſome parts, and rebuilding them; and, in others, by ſtrengthening them with chain bars; by removing the vaſt load of earth laid upon the bridge, and ſupplying its place with hollow arches thrown between the convex ſides of the great arches; by raiſing the walls that went acroſs the bridge to an additional height, ſo that the vaults ſpringing from them might bring the road to a proper elevation, without much covering of earth; by throwing an arch of relief over the ſmall ſouth arch, which was ſhattered; and, as there were rents in the walls, or at leaſt as they had gone off the line at both ends of the bridge, the whole is ſupported by very ſtrong buttreſſes and counterforts at the ſouth end, upon each ſide of the bridge, and upon which houſes are erected; but, at the north, there is a counterfort only upon the eaſt ſide.

The bridge being thus fortified, there need be no apprehenſions about its ſecurity. The bridge itſelf was made paſſable A. D. 1772, but the ſouth-weſt counterfort is but preſently (1778) building. The expence of the whole has already amounted to L. 17,354.

Its dimenſions are as follow: Width of the three great arches 72 feet each; breadth or thickneſs of the piers 13½ each; width of the ſmall arches 20 each. Total length of piers and arches 310 feet.

* The buttreſs, or counterfort, preſently building on the weſt ſide of the bridge, is founded *ten feet deeper than the foundation of the bridge.*

Length of the bridge from the high-ſtreet to Prince's ſtreet 1125 feet; height of the great arches from the top of the parapet to the baſe 68; breadth of the bridge within wall over the arches 40; breadth at each end 50 feet.

Although the magiſtrates of Edinburgh were diſappointed in their firſt endeavours to obtain an extenſion of the royalty, they did not relinquiſh the attempt; and the propriety, or rather neceſſity, of the meaſure being obvious, the gentlemen of the county dropped their oppoſition. An act was accordingly paſſed * in A. D. 1767, extending the royalty over the fields on the north of the city. Advertiſements were, at the ſame time, publiſhed by the magiſtrates, deſiring plans to be given in, conform to which buildings might be erected in the moſt regular, handſome, and commodious manner.

Plans being lodged accordingly, that deſigned by Mr James Craig architect was approven of, and adopted. An engraving of the plan was publiſhed by authority of the magiſtrates; the original lay upon the council-table; and the public were invited to purchaſe lots from the town-council, and were taken bound to build conform to the lines and regulations eſtabliſhed by the plan. Never did the public harbour a notion, that, when individual purchaſers were bound to obſerve certain rules in their building, conducive to the general beauty and uniformity, the town-council were at liberty to depart from the plan they had adopted, and to hurt the properties of individuals, by deſtroying the beauty of the whole. Never did they ſuppoſe, that a magiſtracy, which, for a number of years, had exerted the moſt ſpirited endeavours to improve and adorn the city, by the aid of national contribution, and parliamentary authority, could, for a wretched gain, ruin the principal object which they had purſued. Never did the idea occur to them, that the plan hung out to the public, bearing a reference to a particular act of council, and the act of council itſelf, were at variance. This, however, was the caſe.

After

* Geo. III. an. 7. c. 27.; Council reg. 21ſt Auguſt 1765; Scots mag. v. 31. p. 461.

After many gentlemen had feued * areas from the town, and built genteel houſes upon the faith of the plan, they obſerved the ſpot which in the plan was delineated into terraces, and a canal, riſe in mean and irregular buildings, and work-houſes for tradeſmen. When this deviation was complained of, the clauſe in the act of council, reſerving liberty to the town to build upon the ſpot delineated into terraces, was read to the complainers, and they were laughed at for their credulity. The purchaſers in the extended royalty brought an action before the Court of Seſſion againſt the town-council, praying, that the authority of the court might be interpoſed, for putting a ſtop to what they deemed a violation of public faith, to the injury of their property. That court, however, did not enter into the ideas of the complainers, nor afford them redreſs, but deemed the act of council to be the regulating ſtandard, allowing the plan ſigned by the Lord Provoſt to paſs for no more than a decoy. The liberal and extenſive ideas of Lord Mansfield were far different. The Houſe of Lords, upon an appeal, reverſed the ſentence of the Court of Seſſion, and remitted the cauſe to them. After an expenſive litigation, differences were compromiſed, chiefly by the mediation of Mr Stodart, then Lord Provoſt of Edinburgh, who, in every thing reſpecting public works, and the improvement and decoration of the city, ſhowed himſelf an excellent magiſtrate. This compromiſe was eſtabliſhed by the form † of a decreet-arbitral. By this it was provided, that, on the ſouth ſide of Prince's ſtreet, there ſhould be no buildings from a point as far weſt from the intended ſtreet, called in the plan Hanover ſtreet, as the large building on the ſouth ſide of Prince's ſtreet, fronting the north and weſt, is eaſt from St Andrew's ſtreet. The intermediate ſpaces were appointed to be laid out in terraces and a canal; but the time of diſpoſing

* To *feu* is a mode of holding property very common in Scotland, by which the purchaſer holds his land of a ſubject-ſuperior, to whom, beſides the price he pays in hand, he gives a perpetual yearly acknowledgement, which is termed *feu-duty*.

† Council reg. 20th March 1776.

poſing the ground in that order was referred to the Lord Preſident of the Court of Seſſion, and the Lord Chief Baron of Exchequer.

The unfortunate downfall of the bridge, with the diſpute between the town-council of Edinburgh and the feuers in the extended royalty, behoved to retard the progreſs of *the New Town.* But another piece of very great imprudence in the magiſtrates left ſpace for the citizens to build elſewhere.

The public taxes exigible by the town-council of Edinburgh are, no doubt, a hardſhip upon the citizens; but the impoſition of them was unavoidably neceſſary, to diſcharge the debts the city had incurred in conſequence of many expenſive public works, of the former tyrannical exactions of government, of the monſtrous rapacity of Lauderdale, and the groſs peculation of the city-clerks of Edinburgh during his adminiſtration, who had aptly imbibed the example ſet them by that maſter in tyranny and extortion. There was a ſpace of ground on the ſouth ſide of the town, to the extent of twenty-ſix Engliſh acres, which the town-council had an opportunity to purchaſe for L. 1200; which, however, they neglected. No ſooner was it bought by a private perſon for the purpoſe of its being feued out in lots for building upon, than they ſaw the conſequences, and offered Mr Brown, the purchaſer, L. 2000 to give up the ſubject. But, as Mr Brown demanded L. 20,000 for it, there was an end of the tranſaction. As the builders in that area were not liable to the public burthens of the city, people preferred the lots in the ſouth to thoſe in the New Town, where, beſides the public taxes, the feuers would be expoſed to the danger of what was then deemed a crazy bridge, and to an expenſive litigation with the magiſtrates, who appeared to have adopted every meaſure recommended, by its tendency, to diſcourage and oppreſs thoſe who purchaſed lots in the extended royalty.

Notwithſtanding theſe diſcouragements, the progreſs of the New Town has been rapid. The buildings along Prince's ſtreet have run

to

to a conſiderable length. St Andrews * ſquare, and the ſtreets connected with it, are almoſt compleat. Indeed, the natural advantages of the ſituation, joined to the regulation of the whole being built conform to a regular and beautiful plan, give the extended royalty a ſuperiority over any city in Great Britain. The area is level; yet, on each ſide, there is a declivity, which gives an opportunity of making proper common ſewers, which are made accordingly. The proſpect from the New Town is as beautiful as almoſt any country can afford. There is a ſupply of excellent water from the general reſervoir; and, in the neighbourhood, there is an inexhauſtible fund of free and whin-ſtone quarries, the firſt for building houſes, the laſt for paving the ſtreets. The New Town, however, is, in a ſpecial manner, expoſed to very violent winds, which rage in Edinburgh with incredible fury. Houſes blown down, large trees torn up by the roots, people carried off their feet, and beat down upon the pavement, are no uncommon circumſtances in Edinburgh. It will hardly be credited, that, on Saturday the third of January 1778, the Leith guard, conſiſting of a ſerjeant and twelve men of the 70th regiment, were, all of them, blown off the Caſtle-hill, and ſome of them ſorely hurt.

With the advantages formerly mentioned, *St Andrews-ſquare* is the fineſt ſquare we ever ſaw. Its dimenſions, indeed, are ſmall, when compared with thoſe in London; but the houſes are much of a ſize. They are of an uniform height; are all built of free ſtone; and Sir Laurence Dundas's houſe †, which is in the centre of the eaſt ſide of the ſquare, off the line of the other buildings, and having a court

* The dimenſions of St Andrews ſquare are about 510 by 520 feet.

† The deſign of this houſe was by Sir William Chambers; the execution by Mr William Jamieſon maſon. Upon the north end a houſe is built by Mr Croſbie advocate, with large Ionick columns, which anſwers as a wing to Sir Laurence's houſe. It is to be hoped, that, when the magiſtrates diſpoſe of the correſpondent area on the ſouth end, they will take care to preſerve uniformity, by making the houſe, to be raiſed on it, be built after the deſign of Mr Croſbie's.

court before it, is incomparably the handſomeſt town-houſe we ever ſaw.

Of the Register-office.

The public records of Scotland have ſuffered a variety of diſaſters. Edward I. after having almoſt ſubdued the kingdom, deſirous to aſſert his feudal ſuperiority over it, and willing that no marks of its former independency ſhould remain, carried off or deſtroyed its antient records. Thoſe which had been collected between the days of that crafty prince, and the uſurpation of Cromwell, after the latter had ſubdued Scotland by a more compleat conqueſt, and regulated it with a gentler ſway, were moſtly ſent by him to the tower of London. Upon the reſtoration, many of thoſe papers were ſent down by ſea to Scotland; one of the veſſels was ſhipwrecked, and the records, which, in other veſſels, came ſafe to Edinburgh, have either been allowed to remain, till this hour, in their original package, or have been crowded together in much confuſion, owing to the want of proper places for their diſpoſal and arrangement.

The public archives being moſtly kept in apartments under ground, or in wooden houſes, the late Earl of Morton, Lord Regiſter of Scotland, obſerving the inconveniency and danger attending that mode of keeping them, obtained L. 12000 out of the forfeited e-
June 26. 1765. ſtates, by a grant from his Majeſty. This ſum having lain at intereſt ſince A. D. 1765, and a deſign for a general repoſitory for the records of Scotland having been made out by Robert Adam, Eſq; architect, the foundation-ſtone of this building was laid on the 27th of June 1774, by Lord Frederick Campbell, Lord Regiſter, Mr Montgomery of Stanhope * Lord Advocate, and Mr Miller of Barſkimming

* Upon a braſs plate put into the foundation-ſtone, there is the following inſcription; 'CONSERVANDIS TABULIS PUBLICIS POSITUM EST, ANNO M,DCCLXXIV, MUNIFICENTIA 'OPTIMI ET PIENTISSIMI PRINCIPIS GEORGII TERTII.' In a glaſs vaſe, hermetically ſealed, alſo placed in the foundation-ſtone, there are depoſited ſpecimens of the different coins of his preſent Majeſty.

ſkimming Lord Juſtice Clerk, three of the truſtees appointed by his Majeſty, for carrying the work into execution. The ceremony was performed under a diſcharge of artillery, in preſence of the Lord Provoſt and magiſtrates, the judges of the courts of ſeſſion and exchequer, and an immenſe number of ſpectators, who were ſpeedily to drop into oblivion, while the building, whoſe foundation they witneſſed, ſhall remain a monument to diſtant poſterity.

This we conſider as by far the moſt beautiful of Mr Adams's deſigns. Moſt of the plans of this eminent architect, either from juſtice not being done them in the execution, or from the choice of materials, of which the fabricks are compoſed, appear far more * beautiful in the drawing, than when realized; but the reverſe is the caſe with the regiſter office, which excells the ideas we form of it from the plan. Although the work is not yet compleated †, in the following deſcription we ſpeak of it as finiſhed.

The front of the building, which is forty feet back from the line of Prince's-ſtreet, and directly facing the bridge, extends from eaſt to weſt 200 feet; and, when the ſupplementary part of the plan ſhall be compleated, it will be 200 feet ſquare. In the middle of the front there is a ſmall projection of three windows in breadth, where four Corinthian pilaſters ſupport a pediment, in the centre of which are the arms of Great Britain. At each end there is a tower projecting a little beyond the reſt of the building, having a Venetian window in front, and cupola on the top; and the front is ornamented, from end to end, with a beautiful Corinthian entablature. In the centre of the building is a dome of wooden work, covered with lead; the inſide is diſpoſed into a ſaloon of fifty feet diameter,

* Of this, we apprehend, the buildings in the Adelphi, London, afford a ſtriking inſtance.

† This building has been carried on under the inſpection of Mr Saliſbury maſon, who has beſtowed the utmoſt attention in the choice of materials, and upon the execution of the work; ſo that, in theſe articles, as well as in the beauty of the deſign, it is inferior to no modern building whatever.

and eighty high, lighted from the top by a copper window of fifteen feet diameter. The roof is divided into compartments, elegantly ornamented with ſtucco-work. There are arches in the wall diſpoſed into preſſes for holding of the records; the acceſs to them is by a gallery, which runs around the whole apartment.

The Lord Regiſter's room is alſo a handſome apartment. Its dimenſions are 35 feet by 24, and 23 high. There are two handſome ſtair-caſes leading to the different chambers where the national records are kept, and the clerks in the public offices accommodated. The number of theſe apartments, beſides paſſages, ſtair-caſes, and water-cloſets, is ninety-ſeven. They are all vaulted beneath, and warmed with fire-places. The expence of the whole, when finiſhed, is eſtimated at L. 25000.

Of the Physicians Library.

The Royal College of Phyſicians of Edinburgh was incorporated by a charter of Charles II. of the 29th November 1681, which was ratified * by parliament A. D. 1685. We had occaſion formerly to remark † the wretched ſtate of the medical ſcience at that period. By this charter and ratification, the members of the Royal College are granted an excluſive privilege of practiſing medicine in Edinburgh, of making bye-laws for the regulation of their ſociety, and other privileges and immunities. It is further provided by this ſtatute, that the Royal College *ſhall, at leaſt twice a year, viſit all the apothecaries ſhops within the city and liberties of Edinburgh, and deſtroy all inſufficient and corrupted drugs*: This part of their duty, however, they, for a long time, have omitted.

The College of Phyſicians had formerly a meeting-room, and ſome other property, near the Cowgate-port; but the houſe having become ruinous, they did not chuſe to build in that ſituation: They, therefore, diſpoſed of the ground to the gentlemen of the epiſcopal communion

* Act James VII. par. 1. ſeſſ. 1. 16th June 1685. † Book 1. c. 4. prop. fin.

communion in Edinburgh, who have there erected *the Engliſh chapel.*

The College of Phyſicians feued from the town of Edinburgh a large area, in the centre of one of the diviſions of George's-ſtreet, in the extended royalty, on which they have erected a magnificent hall, the deſign of Mr Craig, who planned the New Town. The foundation-ſtone was laid by Doctor Cullen, aſſiſted by all the medical profeſſors, 27th November 1775. This building extends upwards of eighty feet in front. It is adorned with a portico, the pediment of which is ſupported by four ſuperb Corinthian columns, which ſtand at the diſtance of ſix feet from the wall. The platform on which they are erected, is about ſeven feet above the level of the ſtreet, and the aſcent to it is by a flight of ſteps thirty feet wide.

The under floor contains lodging for a librarian and porter, and ſome other apartments. The ſecond floor, to which the entry is by the ſtair leading to the portico, conſiſts of four apartments, a lobby, which is a cube of thirty-five feet, lighted by five windows, two on a level with the door, and three above. On the right hand is a room of twenty-four feet by eighteen, and fourteen high; and on the left, another of the ſame dimenſions. One of theſe apartments is intended for the ordinary meetings of the college; the other for a waiting-room to accommodate thoſe who may have buſineſs with the college at their meetings: But the principal apartment is deſtined for the reception of the library, and the different curious productions belonging to this ſociety. This room is upwards of fifty feet long, by thirty broad, and twenty high. It is lighted by two rows of windows, five in each row, and on three ſides is ſurrounded with a gallery. Beſides theſe, there are ſome ſmaller apartments where the members of the college may read or write, when they borrow books from the library which they do not chuſe to carry home with them.

The library contains many valuable books, chiefly in natural hiſtory, the greateſt part of which belonged to Dr Wright of Kerſie; and, upon his death, a donation was made of them by his heir, to the college, in conſequence of an inclination, to that effect, expreſſed by the deceaſed.

Of the Suburbs of Edinburgh.

It may not be amiſs to ſay a few words reſpecting ſuch of the ſuburbs of Edinburgh as we could not conveniently introduce in the general deſcription of the city. Of theſe the chief are George's-ſquare, and its environs, the Pleaſance, the Calton, and Portſborough.

Except a narrow mean ſtreet called Potterrow, and a very ſhort one called Briſto, there were, till within theſe twelve years, hardly any buildings on the ſouth ſide of the town. In our account of the bridge and extended royalty, we have already explained the inducements which led people to build in that quarter. Theſe may be all comprehended under one article, namely, the multiplied ſeries of miſconduct and misfortune, which gave diſcouragement from building within the extended royalty. George's ſquare was begun A. D. 1766. Three ſides of it are now compleat; and the fourth, which is the ſouth ſide, begun. The dimenſions of the ſquare are ſix hundred and ſeventy, by five hundred feet. The upper ſide of the ſquare fronts the ſouth, to which the ground falls with a gentle declivity. But the buildings in this row have a poor appearance, and give a bad effect to the whole. They are of a mean and unequal height, but moſtly conſiſting only of a ſunk floor, principal floor, and attic ſtorey. The conſtruction of the vents is by no means good, and the walls are built partly of blue whin, partly of free ſtone, put alternately in a chequered figure, reſembling the ſtuff that ſailors ſhirts are made of, and having, upon the whole, a very bad effect.

effect. The houſes on the eaſt and weſt ſides are handſome buildings, of a good and regular height, of free poliſhed ſtone.

The inhabitants of this ſquare have the convenience of immediate acceſs to agreeable walks in the Meadows. There are ſeveral avenues to the ſquare, ſuch as Charles-ſtreet, Chrichton-ſtreet, &c. all of them laid out by Mr Brown. On the ſouth of the ſquare, is a conſiderable property, not yet occupied, alſo belonging to Mr Brown. This he has deſigned for a ſtreet eight hundred feet long, and a hundred feet broad, to be called Buccleugh-ſtreet. Commiſſioners are appointed by ſtatute for the purpoſe of cleanſing *, lighting, and watching theſe ſtreets. In order to defray the neceſſary expence, they are impowered to levy from the inhabitants a ſum, at the utmoſt not exceeding one ſhilling in the pound of their reſpective real rents.

On the eaſt ſide of the Potterrow is a ſtreet called Nicolſon-ſtreet, from Lady Nicolſon deceaſed, to whom theſe lands belonged. On each ſide of the ſtreet are good houſes; but they are moſtly detached from each other, the whole commanding a beautiful proſpect of the Forth, and of Saliſbury-craigs.

As a great part of the ground in this quarter is, and probably will remain unoccupied by buildings, on account of the badneſs of the acceſs, an attempt was made, in the year 1775, to remedy this inconvenience. But, as frequently happens, the propoſers of the ſcheme, by graſping at too much, loſt all.

It has been already obſerved, that the gentlemen of the county of Edinburgh oppoſed the extenſion of the royalty. Now, when the royalty was extended; when the magiſtrates had, on the faith of it, expended in building a bridge, in making common ſewers, in paving the ſtreets, and laying water-pipes, not leſs than thirty thouſand pounds Sterling, thoſe very gentlemen prepared a ſcheme, which would not only have diſappointed the magiſtrates of Edinburgh, in being remunerated for their expences, but would have abſolutely

* Geo. III. an. 11. c. 36.

ſolutely ruined the property both in the antient and extended royalties.

It muſt be obſerved, that the ceſs, or land-tax payable to the city of Edinburgh, the miniſters ſtipends, the intereſt of the city's debts, &c. &c. are paid out of taxes impoſed for defraying theſe charges on thoſe reſiding within the royalty. Now, it was endeavoured to obtain an act of parliament for building a bridge of communication between the high-ſtreet and Nicolſon-ſtreet, without extending the royalty over theſe fields. The tendency was obvious. People would fly to a quarter where they would enjoy moſt of the advantages of the city, without being liable to its public burthens. The value of property within the city would bear no proportion to that on the ſouth, and the public taxes would fall, with double ſeverity, on the diminiſhed inhabitants of the royalty.

As if this ſcheme had not in itſelf been ſufficiently iniquitous, a plan was formed for defraying the expence of this bridge, ſo big with abſurdity and oppreſſion, that, were not the facts of public notoriety, had not the bill propoſed to have been brought into parliament been printed, we ſhould have heſitated to have repeated what was conſiſtent with our knowledge, we ſhould have deſpaired of gaining the faith of the public. The expence of the bridge was eſtimated at L. 8600. In order to defray it, it was propoſed not to levy a toll on the bridge itſelf, but to exact additional duties at all other quarters of the city where tolls were already payable, and to impoſe new ones where there were none before, on the moſt frequented ſtreets and roads in the neighbourhood; for inſtance, between the city and the town and harbour of Leith, between the city and the Water of Leith, where the flour, meal, &c. conſumed in the city are prepared; and between the city and the town of Muſſelburgh, and the links and ſands of Muſſelburgh and Leith. By this ſcheme, a ſum would have been collected, probably equal to all the tolls already payable in the neighbourhood of Edinburgh, that is, about three thouſand pounds a year.

The

The propoſal being laid before the gentlemen of the county, it was approven of, and adopted; and it was reſolved, that application ſhould be made for the authority of parliament; two gentlemen only diſſenting from, and proteſting againſt the reſolution: And the thanks of the meeting were given to thoſe who had contrived the ſcheme. Means, however, were uſed, to explain to the public the tendency of the meaſure. Inſtantly an univerſal combination was formed againſt it. Eighteen different incorporations, united by no political tie, nor indeed by any band but a ſenſe of their mutual intereſts, came to a reſolution to apply for leave to be heard by counſel, againſt its paſſing into a law, and inſtructed the city's repreſentative to oppoſe it. The gentlemen of the county found the oppoſition ſo formidable, that they deemed it prudent to drop the attempt.

We ſhall not ſuppoſe it poſſible, that a meaſure ſo abſurd will be again attempted. But, were the proprietors on the ſouth ſide of the town, whoſe properties would be enriched by a bridge of communication, to propoſe to build one at their own expence, it is not the intereſt of the city, as a body corporate, nor of the citizens at large, to conſent to it; nor ought the parliament, in juſtice, to interpoſe their authority for carrying it into execution, but upon this condition, namely, the extenſion of the royalty, by which the whole of the citizens being put upon an equal footing, would divide and leſſen each others burthens; and, in that event, it is for the intereſt of the city that a ſouth bridge were built; and the magiſtrates ſhould lend their aid towards carrying it into effect.

At the north end of Nicolſon's-ſtreet, is an obeliſk erected by Lady Nicolſon. It conſiſts of a Corinthian column, capital and baſe, of which the total height is twenty-five feet two inches, and the diameter of the column two feet one inch. Upon the baſe there is an inſcription in Latin and Engliſh, ſetting forth, that Lady Nicolſon having been left the adjacent piece of ground by her huſband, had, out of regard to his memory, made the ground be planned out into

into a ſtreet, to be named after him, NICOLSON'S-STREET. Not far from the obeliſk, is the public riding-ſchool, or Royal Academy. In this neighbourhood alſo, are ſeveral meeting-houſes belonging to diſſenters of different denominations.

At a diſtance from Nicolſon-ſtreet, on the eaſt, is another ſuburb of Edinburgh, called the *Pleaſance*. This formerly belonged to the Earls of Roxburgh, and was purchaſed from one of them by the magiſtrates of Edinburgh, A. D. 1636. The Pleaſance conſiſts of one mean ſtreet; through it lies the principal road to London. There is nothing remarkable in this ſuburb except a large brewery, with ſpacious vaults, belonging to Mr Bell, where the beſt ſtrong beer is made, of any brewed for ſale in Scotland. The quality of it is, indeed, ſo good, as to recommend itſelf to be purchaſed, not only for home conſumpt, but alſo for exportation.

The Calton is an high hill cloſe to the city, on the north; the ſkirts of it on the weſt ſide are occupied with mean houſes, inhabited by the loweſt claſs of artificers. Round the hill is a walk lately laid out, which commands a vaſt extent and variety of proſpect. The hill itſelf is alſo a beautiful object; on the top of it is the Obſervatory, and a leſſer building belonging to it, in the ſhape of a Gothick tower. On the ſouth-weſt end of the hill is a burying ground; at the utmoſt verge of which, upon the brow of the rock, are depoſited the remains of that ornament of his country, DAVID HUME. Over theſe, a monument, deſigned by Mr Adam, has this year been erected. This building is in the Greek taſte; it is of a circular form, its diameter being twenty feet by about thirty high, the height of the walls concealing the roof. On the ſouth and north ſides of the building, are two pedeſtals, or wings, about ten feet high, and five wide, ſupporting a couple of ſphinxes. Over the door, (which fronts the north-eaſt) is a ſtone pannel, having this inſcription:

DAVID HUME, NATUS APRIL. 26. 1711. OBIIT AUGUST. 25. 1776.

Over

Over this a belt and cornice ſurrounds the whole building. Above the door there is a nitch, containing an urn, and at the top, the building is encircled by a Dorick entablature, finiſhed in the antique ſtile.

Portſborough is a ſuburb lying at the weſt end of the city. It conſiſts chiefly of a narrow ſtreet, formed by mean houſes, and dirty miſerable alleys running from it. In this neighbourhood is an old irregular building, of a good appearance, called *Wrights-houſes*. This is ſaid to have been built for the reception of a miſtreſs of King James IV.

BOOK III.

CHAPTER I.

Of the Populouſneſs of Edinburgh, and of its Supply and Conſumption of Proviſions.

TO aſcertain, with any tolerable preciſion, the number of inhabitants in a great city, is a matter attended with conſiderable difficulty. In a capital, where, at different ſeaſons of the year, there is a fluctuation in the number of inhabitants, by reaſon of the meetings and receſſes of courts of juſtice, colleges, and aſſemblies of the people, the difficulty muſt be greatly increaſed. But in Edinburgh, where theſe obſtacles are enhanced, by the number of families living under the ſame roof; by the city not being divided into pariſhes; by no attention being paid to keeping the regiſter of burials with tolerable exactneſs; and, by the regiſter of births being ſtill worſe kept, or rather groſsly neglected, it muſt be particularly hard to determine the number of inhabitants. In this caſe, even an actual ſurvey, unleſs made with great attention and deſpatch, and upon judicious allowances for the ſeaſon of the year, would lead to error.

The ſyſtems upon which political writers have endeavoured to aſcertain the number of inhabitants in different places, appear liable to many objections; particularly that of determining their number by the baptiſmal and funeral regiſters. For inſtance, it has been found, that, in different places, certain different proportions of mankind die annually; yet from this no abſolute concluſion can be drawn from theſe regiſters, reſpecting the populouſneſs of the place

in

in which they are kept; and none at all reſpecting its healthfulneſs, or prolifickneſs, unleſs the inhabitants are *ſtationary*; that is, live and die in the ſame diſtrict. For inſtance, the variety of occupations in towns and cities, induce people of all ranks, from motives of buſineſs, or pleaſure, to flock to, and reſide in them. Hence a double deduction is evident, reſpecting great towns and country pariſhes; namely, that it is unfair to argue upon the healthfulneſs or prolifickneſs of the country, from the proportion between the births and burials; becauſe many who are born in the country ſpend their lives, and die in the city. By a parity of reaſoning, it is unfair to argue againſt the unhealthfulneſs of cities, from a compariſon of the ſame regiſters; ſince, beſides thoſe who are born in cities, numbers who are born in the country come to cities, reſide and die in them, and conſequently increaſe the funeral regiſter: Therefore, unleſs a third liſt of *emigrants and intrants* was preſerved, it will be very fallacious to lay much ſtreſs upon baptiſmal and funeral regiſters, for the comparative healthfulneſs or prolifickneſs of the town and country.

Again, to argue upon the populouſneſs of any diſtrict, from the ſame data, is liable to exception, ſince the relative proportion between the number of inhabitants, and the changes among them by births and deaths, is not uniform in different places, but depends upon the conſtitution of the inhabitants, their manner of living, and the nature of the climate.

Having thus ſtated the difficulties which attend the forming of an eſtimate of the populouſneſs of a place, its healthfulneſs and prolifickneſs, from the regiſter of births and burials, let us now conſider another mode of attaining that information.

Doctor Price, and other writers on political arithmetick, have reckoned the number of perſons in a family to be, at a * medium, over England and Wales, $4\frac{1}{2}$ in each. It has been found, from actual and late ſurveys, that, in Manchester †, there were $5\frac{1}{2}$ *perſons in each family*;

* Price's obſer. on reverſionary payments, p. 185. † Percival's philoſ. eſſays, p. 54.

family; in Leeds only $4\frac{1}{7}$; and in * other places ſtill different proportions.

Now, if from many ſurveys and deep reflection, it has been found, that a certain number is the medium of perſons in a family over all the kingdom, it is evident, that, to apply this ſtandard to any given diſtrict, not only may lead to error, but the odds are very great that it does not direct aright. In the ſame manner as, ſuppoſing five feet ſix inches to be the medium height of grown perſons, one were to apply a ſtandard of theſe dimenſions to the firſt man he met, it is clear the chance would be very great, that the perſon accidentally met would either exceed, or fall ſhort of the ſtandard.

From what has been ſaid reſpecting calculations founded upon the bills of mortality, or upon the ſuppoſed number of perſons in a family, we infer that it is not poſſible to collect from either of them the populouſneſs, healthfulneſs, or prolifickneſs of the place, without framing a particular ſtandard or hypotheſis, from conſideration of the climate, conſtitution, and manner of living among the inhabitants; alſo of the ſtate of the inhabitants, whether they be hinds and farmers living in a country pariſh, mechanicks and ſhopkeepers in a town or village; or whether there be alſo a mixture of families of rank and opulence.

As to the regiſters of births and burials in Edinburgh, it has been already obſerved, that, of late, they have been kept in ſuch a manner as to render them (if any arguments be drawn from them), the infallible ſources of error. The regiſter of burials is kept by people whoſe faculties are impaired by drinking, who forget to day what was done yeſterday: People who have an intereſt in reducing the liſt of burials, as thereby they may peculate the ſhare of *mort-cloth* money † due to the Charity work-houſe. Beſides, they enter not into the liſt of burials any who have died without receiving baptiſm; nor thoſe whoſe relations are ſo poor, as not to be able to pay

* Price's Obſervations, p. 184.

† The *mort-cloth* is the term generally uſed in Scotland for the pall.

pay for the uſe of a *mort-cloth*; nor thoſe who die in the Charity work-houſe. In foreign nations, and other parts of this kingdom, the clergy pay attention to the parochial regiſters. We ſhall leave it to the miniſters of Edinburgh to aſſign their own reaſons for omitting what is generally conſidered as a branch of the paſtoral duty.

As for the regiſter of births, it does not deſerve the name. True it is, a liſt is kept in the ſouth iſle of St Giles's church, where any perſon who chuſes to go with a piece of money, will get the birth and name of a child inſerted. But no attention is paid to the obſervation of this practice, either by the clergy, or by parents.

In our calculation, therefore, of the populouſneſs of Edinburgh, we ſet aſide entirely any conſideration of the parochial regiſters: But an actual ſurvey has been made of the number of families in Edinburgh. We proceed to conſider the ſpecial circumſtances of the city, which enable us to form an hypotheſes, or ſtandard, by applying which to the families, the amount of individuals may be aſcertained.

As the populouſneſs of a place, in ſome meaſure, depends upon its healthfulneſs; ſo likewiſe muſt the number of perſons in a family. Edinburgh, we apprehend, to be as healthful as moſt towns in Britain, and more ſo than any of equal bulk. Its ſituation is elevated; it is not near any ſtagnant waters; and its neighbourhood to the ſea not only renders the air more ſalubrious, but gives the opportunity of ſea-bathing to people of all ranks. The climate is temperate; neither rains nor drought * are exceſſive; and the great violence of the winds tends to diſſipate any noxious vapours. The inhabitants, inſtead of being crowded together as formerly, are withdrawing to ſpacious ſtreets, and to houſes more large and commodious.

* Medium of heat in each month in the year, deduced from ten years obſervation. The table kept at Hawkhill, a mile eaſt from Edinburgh. from A. D. 1764 to 1774, by Mr James Hoy, at the deſire of the late Lord Alemoor.

modious. The city is ſupplied with excellent water, and with a plentiful variety of vegetables at a moderate price. All theſe circumſtances muſt undoubtedly be conducive to health.

The want of many branches of manufacture, eſpecially thoſe which require a ſedentary life, although prejudicial to the trade of Edinburgh, muſt be numbered among the circumſtances conducive to the health of its inhabitants. Neither are the children there put to ſchool ſo early as in England; that mode of torturing the faculties, cramping the genius, and ruining the conſtitution of infants, by exacting untimely fruits, like from plants in a hot-bed, is not embraced. Far leſs do they doom a ſet of miſerable infants, by the time they are well able to walk and ſpeak, to aſſiſt in different branches of manufacture, thereby gathering from them a premature and ſcanty crop, at the expence of cutting off many years of health and induſtry, or of leaving them to drag out a tedious exiſtence, oppreſſed with diſeaſe and deformity.

The inſtitution of the Royal Infirmary, for the reception and relief of ſick ſervants, ſoldiers, and of poor people in general, who have ſuffered hurts, or who have to undergo any chirurgical operation, as affording eſſential relief to the diſtreſſed, is alſo well deſerving of attention.

A

	Deg.	Min.		Deg.	Min.
January,	34	7	July,	58	9
February,	36	7	Auguſt,	58	1
March,	38	1	September,	52	6
April	44	2	October,	46	2
May,	50	6	November,	40	5
June,	55	1	December,	38	0

The higheſt that the thermometer commonly riſes to in the hotteſt days of ſummer is 75, ſometimes 77 degrees: It was once obſerved at 81. The loweſt that it uſually falls to in winter is 17; it has been obſerved at 12, but never lower. This, however, being in a thermometer of ſpirit of wine, 12 degrees in it correſponds with about 9 of a mercurial one.

The medium depth of rain at Edinburgh is about 26 inches annually; the greateſt depth about 32 inches, the leaſt 23.

A circumſtance remains to be mentioned, of an oppoſite tendency from thoſe we have hitherto mentioned, namely, the almoſt total change which has taken place of the liquors uſed by the commons. Formerly, a ſpecies of malt-liquor, called *Twopenny*, was their chief, if not their only drink. When the duty on twopenny was firſt extended over the pariſhes adjacent to Edinburgh, its neat produce, from 1ſt July 1723, to 1ſt July 1724, amounted to L. 7939 : 16 : 0 Sterling. Ever ſince it has been gradually decreaſing; and, altho' the number of inhabitants is now probably doubled, it amounted, A. D. 1776, to no more than L. 2197.

Inſtead of malt-liquor, the lower claſs of inhabitants have betaken themſelves to tea and *Whiſky*. The firſt of theſe, to people who are not able to afford generous diet, and liquors, cannot be eſteemed wholeſome. The laſt is equally pernicious to health and to morals; yet, the uſe of that deſtructive ſpirit is increaſing among the common people of all ages * and ſexes, with a rapidity which threatens the moſt important effects upon ſociety.

Having

* It is needleſs to deſcant upon the tendency of this evil. It is of ſo important a nature as to require the active hand of government to root it out, before the pernicious example of the capital ſpreads itſelf over the country. Beſides the licenſed ſtills, which indeed are only eight in number, it is computed that there are in Edinburgh no fewer than four hundred private ſtills which pay no duty to government, but diſtill in private the poiſon which is afterwards retailed among the inhabitants. This eſtimate, however, is only conjecture. The following is certain: Doctor Percival expreſſed his regret, that, in the pariſh of Mancheſter, (a diſtrict of near 43,000 people), there ** ſhould have been 193 licenſed houſes, for retailing ſpirituous liquors. How much more would the Doctor have had occaſion to expreſs his concern in the county of Edinburgh, a diſtrict which does not contain above 100,000 people, yet in which there are 2000 houſes that retail ſpirituous, and other liquors? The number of 2000 is made up in this manner:

'Houſes licenſed by the magiſtrates of Edinburgh, and juſtices of peace for the county, from A. D. 1777 to 1778	1611
'Number of yearly convictions, at a medium, for retailing ſpirits without licenſe	200
'Number ſuppoſed to eſcape undiſcovered, without either paying licenſe, or being 'convicted	200
Total	2011

** Percival's Eſſays, p. 54. 56.

Having conſidered thoſe circumſtances peculiar to the city of Edinburgh, connected with health, we ſhall now ſtate the other grounds upon which we eſtimate the number of perſons in a family.

The number of perſons in a family muſt chiefly depend upon the ſtation and purſuits of a people. For inſtance, it is evident the diſproportion muſt be great between the number of perſons in a family in the pariſh of St James's, and in a remote village in the north; becauſe, in the former, the families belong to men of ſplendour and opulence; but, in the latter, no retainers are neceſſary to the family; none are ſuffered to remain within it, whom the

Out of this number, only 159 have taken out licenſes for retailing foreign ſpirits; which is, in other words, *that, out of* 2011 *houſes for retailing ſpirituous, and other liquors, in the city and county of Edinburgh,* 1852 *are deſtined for the entertainment of the lower claſs of people.*

Every means ought to be uſed for leſſening the manufacture of whiſky. The duty on rum, whoſe exorbitancy defeats its own purpoſe, (as thereby a ſmaller revenue ariſes to the crown than would flow from a more moderate tax; and as by it alſo the manufactures of our own iſlands are diſcouraged), ought to be, in a great meaſure, taken off. The duty on ale ought to be leſſened, if the deficiency were to be made up from many quarters. A high tax ſhould be impoſed upon whiſky. Private families ought to be prohibited from diſtilling ſpirituous liquors for their own conſumption, as being a cloak to perjury, defrauding of government, and drunkenneſs. Public ſtamps might be impoſed upon all ſtills, or perhaps the government ſhould take them entirely into the hands of their own officers, as they do the ſtamped paper. By theſe, or other regulations, it is probable the poſſibility of ſmuggling diſtillation, to any extent, might be cut off. Thus would the conſumption of this pernicious ſpirit be reſtrained, and no hardſhip, or juſt ground of complaint, remain. For, ſo long as good ale and beer can be had at a moderate price, it can never be the intereſt of government, nor of humanity, that ſpirituous liquors ſhould be at the command of the indigent. We are aware of an objection from one quarter, viz. that, if ſuch a change in the mode of taxation were to take place, the landed intereſt, which is already more oppreſſed than any other claſs in the nation, would ſuffer prejudice. To this it may be anſwered in ſhort, that, were the conſumption of barley, through the medium of ſpirituous liquors, reſtrained, it would naturally revert to its former channel, of being uſed in beer and ale. But if, after all, the landholders and farmers were likely to ſuffer detriment, their intereſt might be provided for, by laying an *embargo upon the importation of barley,* whenever it falls below a certain price, and *vice verſa*; a meaſure which, notwithſtanding the clamour that has been raiſed againſt it, would be productive not of partial, but of general benefit.

the maſter is not bound to ſupport. As the number of tradeſmen and mechanicks bears a much greater proportion to perſons of better rank and more liberal purſuits in London than in Edinburgh, we are led to ſuppoſe that there are more perſons in a family in the latter city than in the former.

As Edinburgh is not conſiderable for trade, but depends chiefly for its ſupport upon the college of juſtice, the ſeminaries of education, and the inducements which, as a capital, it affords to genteel people to reſide in it, theſe circumſtances muſt occaſion the reſpective families to be pretty numerous. The manner of living alſo has become more genteel, and the increaſe of wheel-carriages muſt augment the number of domeſticks.

As many young people reſort to Edinburgh for their education, theſe, by boarding in different houſes, tend to raiſe the number of perſons in a family. The great advance in the expence of boarding is likewiſe conducive to the populouſneſs of Edinburgh; for country gentlemen, (even of good Scots fortunes), who have numerous families, find their account in reſiding in Edinburgh with their children during the time of their education.

All the chairmen, moſt of the porters and ſervants in Edinburgh, come from the Highlands. This affords a ſupply of healthy and robuſt people. By claſſing the two former into married and unmarried, we will find, that this circumſtance tends to make the number in each family greater than if they were all married perſons; for thoſe who are ſingle live in family with the married, and commonly work as their journeymen.

Every thing conſidered, we are led to fix the number of perſons in a family in Edinburgh *at ſix in each.*

Before proceeding to aſcertain the number of inhabitants, according to this ſtandard, it will be neceſſary to make ſome remarks upon the calculations of Maitland and Doctor Price. Maitland has grounded his calculation of the inhabitants of Edinburgh upon the bills of mortality. We reſt upon the ſurvey of the number of hou-

ſes. Maitland ſuppoſed the twenty-eighth part of the inhabitants to die yearly; in which, probably, he was not much miſtaken. He took into his computation the whole pariſh of St Cuthberts, (then almoſt entirely a country-pariſh, and the largeſt in Scotland). Having multiplied the number of burials by 28, he found the City, Canongate, St Cuthberts, &c. in A. D. 1747, to contain 50120 inhabitants; which, the number of families being 9064, made about $5\frac{1}{2}$ perſons in each.

Doctor Price being perſonally unacquainted with the ſtate of Edinburgh, has, from different parts of Maitland's data, deduced inferences equally erroneous and important. The Doctor has obſerved, that the total number of families in Maitland's diſtrict, amounted to 9064. He alſo found, that, from an actual and accurate ſurvey of the pariſh of St Cuthberts, the number of perſons to a family were $4\frac{1}{16}$ each. The Doctor not knowing that St Cuthberts was then almoſt entirely occupied by farmers, cottagers, and the loweſt mechanicks, judged the pariſh of St Cuthberts to be a proper ratio, by which to calculate the number of inhabitants over all the city. Accordingly, multiplying 9064, by $4\frac{1}{16}$ he diſcovered the number of inhabitants to be 37,162. Then, ſuppoſing the regiſter of burials to be juſt, he found the annual proportion of deaths to the number of inhabitants to be as one to $20\frac{4}{7}$, thereby making Edinburgh, perhaps, the moſt mortal city in Europe. This erroneous deduction plainly proceeds, *1mo*, From Doctor Price's not knowing that St Cuthberts was a country-pariſh; and, *2do*, To his not adverting to the circumſtances that raiſe the number of perſons in a family higher in Edinburgh than, perhaps, in any part of the kingdom.

An accurate ſurvey of the number of houſes in Edinburgh, Leith, &c. was taken A. D. 1775, for the purpoſe of collecting the road-money, payable by each family. In this ſurvey the houſes were divided into three liſts; inhabited houſes, that is, each ſet of apart-

ments

ments occupied by a ſeparate family; empty houſes; and ſhops, i. e. ſhops to which no houſes were poſſeſſed along with them.

In this ſurvey, every houſe was diſtinguiſhed by its local ſituation, by the name of the poſſeſſor, (if occupied), and was arranged in its proper claſs. In this manner no houſes could be admitted which had not an exiſtence, at the ſame time that many families living in the narrow alleys and dark ſtairs in the Old Town, muſt have eſcaped the obſervation of the ſurveyors. Such overſight behoved to be greatly encouraged by the artifice of a ſet of low people, who, abhorring the ſurveyors, induſtriouſly avoided them, ſhut doors and windows at their approach, and got their neighbours to repreſent their houſes as unoccupied, in order to avoid paying of the miſerable pittance of road-money.

The number of ſeparate families then in Edinburgh, Leith, and their environs *, as aſcertained by the ſurvey A. D. 1775, amounted to 13,806, which, multiplied by ſix, gives the number of inhabitants to be 80,836.

But there are a number of people in the city of Edinburgh who do not reſide in private families, who thereby are not comprehend-

* The places comprehended in this enumeration, are the city of Edinburgh and all its ſuburbs on the weſt and ſouth, within the reſpective toll-bars. On the eaſt, the Abbey-hill, Jock's-lodge and Reſtalrig. Beyond the New Town, the villages of Broughton and Picardy, the towns of ſouth and North Leith, and the eaſt and weſt roads to Leith. Such part of the city of Edinburgh as conſtitutes the royalty, and alſo the Canongate, and South and North Leith, pay ceſs or land-tax to government, *as the city of Edinburgh.* The amount of ceſs paid for the city to the Receiver General, when the land-tax is at 4 s. in the pound, is L. 2849 : 10 : 4. The ſum levied from the inhabitants for that purpoſe, is L. 3455, a ſum not unreaſonable conſidering the trouble and expence of collecting. This eſtimate is made out, by reckoning 1 s. 4 d. to be exacted upon the pound Sterling of valued rent, which is leſs, by a minute fraction, than the ſum actually levied. The valued rent of Edinburgh, within the royalty, Canongate, South and North Leith, being L. 51,825 : 3 : 9 Sterling. As to the real rent, according to the obſervations we have formed, it appears to be *a half more than the valued,* or L. 77737 : 15 : $7\frac{1}{2}$; but, if we ſhall eſtimate the real rent of the whole other places comprehended in our enumeration, viz. the ſuburbs on the ſouth and weſt, Broughton, the roads to Leith, &c. at L. 14,000, the whole real rent of Edinburgh, Leith, and their reſpective environs, will be L. 91,737 : 15 : $7\frac{1}{2}$

ed in the above calculation, and of whom it may be difficult to ſay, how far they ought to be added to it. Of theſe, the chief are the garriſon of the caſtle, and thoſe who are ſupported in the different hoſpitals and poors-houſes. It is evident, that the garriſon, and others in the caſtle, (who are, at a medium, about 600), being in no ways blended with thoſe in the former calculation, falls to be added to it. It ſeems equally clear, that thoſe of the Royal Infirmary, who, at a medium, are upwards of 150, muſt not be added to the number, as the patients are moſtly individuals reckoned in the former liſt, but who are removed to the Infirmary by reaſon of occaſional diſtreſs. About 650 people are conſtantly maintained *within* the Charity work-houſe. In the other hoſpitals and poors-houſes in the city and ſuburbs, there may be about 600 more. Of theſe, perhaps, a third may be the children of inhabitants reduced to poverty, and are therefore to be held comprehended in the calculation founded on the ſurvey of families. The remaining two-thirds are either elderly people, borne down by poverty and diſeaſe, who have no friends nor families, or orphans, who fall to be added to the former liſt. It appears, therefore, that, on account of the caſtle-garriſon, and of the hoſpitals, and poors-houſes in Edinburgh, 1400 may be added to the liſt of inhabitants already calculated from the ſurvey of the number of families.

There, perhaps, are no articles ſo eſſential to the convenience of a great city, as the ſupplies of feuel and water. No city of its bulk, in modern Europe, is better furniſhed with theſe articles than Edinburgh. At all times of the year, pit-coal, of the beſt quality, may be purchaſed at the citizens doors at five pence the hundred weight. The manner in which the city has been ſupplied with water, deſerves to be particularly deſcribed.

From the number of inhabitants which muſt have been in Edinburgh in the laſt century, it is difficult to conceive how they were accommodated with water. There is no mention of the ſupply in this

this article, earlier * than A. D. 1621. In that year, an act of parliament was paſſed, ſetting forth, that the magiſtrates of Edinburgh were about to bring in water to the city from a diſtance, giving them liberty to caſt '*ſeuchs and ditches*,' in the lands through which it behoved the water to paſs, and requiring the privy council to aſcertain the damages, payable to the different proprietors, on account of the breaking of their ground. But notwithſtanding this act, it does not appear, that, in conſequence of it, any meaſures were taken to bring water into the city till the year 1674. At that time the magiſtrates undertook to bring † water in leaden pipes, from a fountain ſome miles diſtant. The engineer employed for this purpoſe was Peter Bruſchi a German. The Lords of the privy council iſſued a mandate, prohibiting all perſons from impeding the work, and threatening, with the higheſt penalties, thoſe who ſhould lift or demoliſh the pipes or ciſterns. Soon after, an act of parliament was paſſed for protecting ‡ the fountains and conduits, and enforcing the orders of the privy council.

The town-council agreed to pay to this German L. 2950, for bringing, in a leaden pipe of three inches caliber, water from Comiſton, about four miles weſt from the city, to a reſervoir to be made on the Caſtle-hill. Thence the water was to be diſtributed through the town by pipes, conveying ‖ it to five public wells; and theſe not being found ſufficient, five more were quickly erected at an additional expence. That the city's funds might not be applied to a purpoſe ſo beneficial to the inhabitants, the magiſtrates endeavoured to obtain the authority of parliament for impoſing upon the citizens a tax, by way of *hearth-money*, to defray the expence. Happily they were diſappointed in this ſcheme of oppreſſive exaction, a circumſtance not a little extraordinary in the reign of Charles II. Soon after, new ſprings were added to the fountain. The town-council

* James VI. parl. 23.; Unprinted acts, No. 6. † Records of privy council, No. 3. p. 167. 3d September 1674.; Watſon's hiſt. of printing. ‡ Unprinted acts, Charles II. parl. 3. ſeſſ. 1. No. 8. Sept. 17. 1681. ‖ Maitland's hiſt. p. 205. 206.

council making an agreement with the proprietor of the ground for the uſe of the water; and the pipe was found to be too ſmall for conveying to Edinburgh the ſtreams collected at the fountain. Upon this, a new pipe of four inches and a half diameter, was begun to be laid, but was not compleated for many years; and, when finiſhed, it was found to be by much too large for the ſupply of water.

In order to the city's being more amply furniſhed with ſo neceſſary an article, an act was paſſed, enabling the magiſtrates to purchaſe any ſprings ſouth from the fountain at Comiſton, lying within three miles of it, and to bring the ſame by pipes through the interjacent grounds into the fountain or the city *. The ſheriff of the county was, at the ſame time, impowered to fix, with the aſſiſtance of a jury, the price to be paid for ſuch ſprings, or for the privilege of laying the pipes through the reſpective lands. In conſequence of this act, certain ſprings in the lands of Swanſton, were pitched upon as the moſt proper to be brought into the fountain; but, notwithſtanding the act of parliament, it was not, till after a conteſt with the litigious proprietor had been ſettled with the houſe of Lords, that the town made effectual their right to theſe ſprings. While this diſpute was agitated between the magiſtrates and the proprietor of Swanſton, the former were attempting to impoſe a burden upon their conſtituents, of which the clandeſtine proceedings of the magiſtrates ſufficiently betrayed their conſciouſneſs, that the burden they meant to impoſe was unjuſt and unneceſſary. From the votes of the Houſe of Commons, it was diſcovered, that the magiſtrates of Edinburgh had, on pretext of the expences they would incur, by bringing an additional ſpring of water into the city, applied for leave to bring in a bill for levying from the inhabitants, no leſs than 6 d. *per* pound, on the whole real rents of the city. Inſtantly, upon this diſcovery, a combination was formed among the

* George II. an.

the citizens, for oppoſing the bill; and that, upon two grounds, That the city was poſſeſſed of ſufficient ordinary revenues to enable them to defray this additional expence; and, that the ſum propoſed to be laid on the inhabitants, under colour of bringing in water, was, beyond parallel, enormous. In the courſe of their oppoſition, they demanded, that, by a candid exhibition, and ſtrict inquiry into the ſtate of the city's revenues, it might be ſeen, whether they had funds ſufficient for the propoſed purpoſe. This demand was not reliſhed on the part of the magiſtrates, who, after all their inſtances, and the extraordinary meaſures which were taken to occaſion an artificial ſcarcity, were obliged to abandon the propoſed taxation; yet found means to carry on the work without any additional aid.

The conſumption of water has, of late, been conſiderably augmented, by the great increaſe of inhabitants and buildings, together with a very conſiderable number of private pipes, which are given, at their requeſt, to any of the inhabitants who are willing to pay for them. Theſe circumſtances had again occaſioned a ſcarcity of water, eſpecially in autumn, when the ſprings are moſt ſcanty. A very ſimple alteration, ſuggeſted by Bailie Cleghorn, one of the preſent magiſtrates, a perſon who has beſtowed great attention upon the ſtate of the city's conduits and fountains, has now rendered the ſupply of water abundant.

The ciſtern of Comiſton receives five diſtinct ſtreams from as many pipes, collecting the water from different, and diſtant fountains. Theſe, when at the fulleſt, diſcharge into the ciſtern at Comiſton from 800 to 900 Scots pints, or almoſt ſeven hogſheads a minute; when, at the loweſt, from 150 to 170 pints. From Comiſton, the water is brought in a leaden pipe of four inches and a half caliber, to the reſervoir upon the Caſtle-hill of Edinburgh, the higheſt part of the city, yet, at the ſame time, forty-four feet beneath the level of the water at Comiſton. Thence, by public wells, and private pipes, it is diſtributed through the city. Beſides a ſmall pipe which is taken off the large one to ſupply Herriot's-hoſpital with water, the main

pipe,

pipe, when full at the fountain-head, diſcharges into the reſervoir at the Caſtle-hill about 210 Scots pints in a minute; whereas, till the late alteration made by Mr Cleghorn, it never diſcharged above 170. Had not this improvement taken place, an additional pipe was to have been laid, which would have coſt the city about five or ſix thouſand pounds. This reſervoir contains 149,427 Scots pints, or 291 tons, 3 hogſheads, 6 gallons, and 3 pints. Beſides this water, which in its quality is excellent, there are many pit-wells in Edinburgh; and the foot of the Canongate is ſupplied by a pure ſtream brought from Arthur's-ſeat.

Few towns are more commodiouſly ſituated than Edinburgh in reſpect of its ſupply of proviſions, and the moderateneſs of their prices. In the following account of the conſumption and prices of proviſions, we neither were able, nor did we judge it neceſſary, to give a table of the different articles for an equal period of time. The quantity of wheat made into flour at the milns on the Water of Leith, is ſuppoſed, according to the beſt information that we could procure, to be 100,000 bolls yearly.

This wheat is moſtly all conſumed in Edinburgh, Leith, and their environs. The quantity has of late been upon the decreaſe, owing to this circumſtance, that, till within theſe few years, the flour-milns in Scotland were ſo ſcarce, that both flour and baked bread were ſent from Edinburgh to many parts of the country. Now, there is hardly any ſent either of the one or the other; nay, there is a quantity of bread brought daily to Edinburgh which has been prepared at the diſtance of ſix or more miles from the town.

We have not been able to aſcertain, to our own ſatisfaction, the quantity of oat, barley, and peaſe meals made uſe of in Edinburgh. This is owing partly to the extreme reluctance with which the clerks in ſome of the markets were prevailed upon to give us any information reſpecting the extent of the commodities brought to their reſpective markets, and to the intereſt they had in repreſenting the quantities as leſs than they really were; partly to a conſiderable proportion of the

the oat-meal that is brought to Edinburgh market being bought up there for the uſe of the neighbouring counties. But, upon the whole, we are led to conjecture the quantity of oat, peaſe, and barley meals conſumed in Edinburgh, and the ſuburbs, at 20,000 bolls yearly.

QUANTITY of BUTCHER MEAT uſed in EDINBURGH from A. D. 1773 to 1777.

	Oxen.	Calves.	Sheep.	Lambs.
From 1773 * to 1774 . .		6572	39428	38295
From 1774 to 1775 . .	8354	6792	35370	47360
From 1775 to 1776 . .	8836	7355	42550	61270
From 1776 to 1777 . .	9022	7350	41332	65790
Killed in Leith market from 1776 to 1777 . . .	1069	955	7880	12286
Total killed in Edinburgh and Leith from 1776 to 1777 .	10091	8305	49212	78076

Beſides theſe, a market for butcher meat has lately been ſet up in Chapel-ſtreet, where it is ſuppoſed there are about 150 black cattle, 350 ſheep, as many lambs, and about 100 calves, ſold in a year. The other fleſh-markets in the county of Edinburgh are thoſe of Dalkeith and Muſſelburgh. The cauſe of our not being able to aſcertain the number of hogs uſed in Edinburgh market is, that the account already given of all the cattle is taken from the number of hides; now, the ſkins of hogs not being ſeparated from their carcaſes, we have no ground for aſcertaining their number.

It is impoſſible to eſtimate the quantity of poultry, or game, uſed in Edinburgh. The latter is excellent, and is to be had in great plenty and variety. Of the former, ſuch as is ſold in the market is

* The accompt of oxen is kept from May to May; that of ſheep, lambs, &c. from January to January.

very bad; but by far the largeſt and beſt part of the poultry uſed in Edinburgh, is that which is ſent to the landed gentlemen from their eſtates in the country, or what is picked up in the country by carriers, and other dealers in poultry, and brought to Edinburgh, and ſold on their own account.

From the near neighbourhood of the Forth, it might be expected that Edinburgh might be ſupplied with every variety of fiſh. This, however, is by no means the caſe. It perhaps may, in ſome meaſure, be owing to the lazineſs of the fiſhermen, who will not be at the pains to go out to deep water. But fiſhing companies have been erected, and large boats provided once and again by private gentlemen, merely with a view to the better ſupply of the city with fiſh. But the gentlemen have always tired of the heavy loſs and expence which they were ever made to incur from their public ſpirited attempts. Small haddocks, and ſmall cod, are the fiſh which moſt abound in Edinburgh; whittings are to be had, but of a diminutive ſize. Turbot have, within theſe two years, been more plenty than formerly; but we cannot help thinking them far inferior to the ſame ſpecies of fiſh in London, at leaſt to ſuch of them as come from the flats of Holland. Excellent ſoles are got in the Forth, but they are very rare; herrings are ſometimes to be had in ſuch quantities as to be uſed as a manure for the ground; mackarel are rare, and exceedingly bad.

We know no place ſupplied with ſuch variety of excellent ſhell-fiſh as Edinburgh. Lobſters, crabs, oyſters, muſcles, and ſhrimps, are to be had at very reaſonable rates. There is ſuch plenty of oyſters, that a large quantity is annually exported to the Medway, and other rivers, there to lie and fatten for the London market. But no fiſh is ſold in Edinburgh ſo uſeful to the inhabitants as ſalmon. It is brought chiefly from Perth and Stirling. The markets are ſupplied with it three-fourths of the year at moderate rates. Except trouts from Loch Leven, no ſort of freſh water fiſh is to be had in Edinburgh; as for carp, and even tench, they are no more to be had

had than if ſuch fiſh could not live in Europe. Edinburgh is badly ſupplied with butter, that ſold in the market being, for the moſt part, both unſkilfully and dirtily made; and it is always made up without the ſmalleſt mixture of ſalt. This article, however, is rather improving, and it is extremely cheap when compared with that of London, freſh butter being generally at ten pence *per* pound, and ſalt butter at eight pence, the pound conſiſting of twenty-two ounces. There is no ſuch thing to be had in Edinburgh as the new and Bath cheeſes, which are ſold at London. Indeed, there is hardly a bit of tolerable cheeſe made for ſale in Scotland.

Edinburgh is ſupplied with variety of vegetables at very low prices. Potatoes, the chief article for the poor, are ſold during the greateſt part of the year at ſixpence * a peck, or thereby. Green peas, at the firſt of the ſeaſon, are ſold for about half a guinea, if the general aſſembly be ſitting; but, if that court be riſen, about five ſhillings *per* peck; but the average price of them is not above eight pence. The aſparagus in Edinburgh is not near ſo good as in London. Cucumbers and melons are not plentiful; far leſs are peaches, apricots, and nectarines, neither of which ripen fully upon a common wall. Even the apples which are brought to market from the neighbourhood are unfit for the table; there are, however, very good pears. Some pine apples are ſold in the fruiterers ſhops; of theſe a few are raiſed in the neighbourhood; but moſt of them are brought from York, where they can be had much cheaper. The ſmall fruits in Edinburgh are more plentiful, and of a far ſuperior quality. The ſtrawberry, in particular, we not only think ſuperior to thoſe in England, but almoſt to any other fruit we ever taſted. There is an account kept of the ſmall fruit ſold in Edinburgh, for the purpoſe of collecting a trifling duty payable to the town. But, as a conſiderable part of the fruit is ſmuggled into town without paying any duty, and that ſent in preſents to families is not liable, we

 conclude,

* The peck of potatoes contains 24 lib. Troy weight. Green peas are ſold in Edinburgh in the pods; the dimenſions of the peck are the ſame with thoſe of the potatoe peck.

conclude, that, beſides the large quantities conſumed within the gardens in the neighbourhood, one fourth more ought to be held as conſumed within the town than what is contained in the following table.

Quantity of ſtrawberries, gooſeberries, and cherries, ſold in Edinburgh market, as aſcertained by the book of public cuſtom payable at the fruit-market.

A. D. 1777, Scots pints of ſtrawberries	28725
Scots gallons * of gooſeberries	6836
Scores of cherries	78840

The average price of ſtrawberries is eightpence *per* pint; therefore, reckoning a fourth more to be conſumed that what is entered, as paying duty, the value of ſtrawberries uſed in Edinburgh A. D. 1777, will be L. 1198 : 6 : 0.

The quantity of wines imported, will be found in that part of our hiſtory which treats of the town of Leith. We cannot aſcertain how much is conſumed in Edinburgh; but the quantity, particularly of claret, muſt be conſiderable, as hardly any other liquor is called for after dinner in taverns; and in private houſes, where the entertainment is tolerably genteel, claret is commonly drunk. The port, at the ſame time, is excellent of its kind, not reſembling the adulterated traſh ſold under that name in England. Good rum may be had, and bad alſo; for the diſtillers of whiſky in Edinburgh have attained to the impudence of being profeſſed dealers in rum, and, as ſuch, ſell to the people, at 8 s. *per* gallon, a ſpirit, which, if it were ſtripped of *the name* of rum, would not fetch 2 s. But no ſpirit, ſold in Edinburgh under a foreign name, is univerſally of ſo bad a quality as the brandy, ſince, except from a few of the principal wine merchants, not a genuine drop is to be had. The ſtrong-beer

* It has been already obſerved, that a Scots gallon is nearly equal to ſixteen Engliſh quarts.

beer brewed in Edinburgh by Mr Bell, and its excellent quality, have already been ſpoke of. Porter is alſo brewed in Edinburgh; but it is a different liquor from London porter, and greatly inferior to it; accordingly, a conſiderable quantity of that liquor is annually imported from London.

In the following table of the preſent prices of proviſions *, it muſt be obſerved, that the different articles are ſet down at the higheſt rates, at rates, which, by the generality of the inhabitants, would be deemed extravagant; for we were favoured with this table by the keeper of the principal tavern in Edinburgh, who is under a neceſſity of buying the rareſt things, be their prices what they may.

PRICES

* The pound by which butcher-meat is ſold in Edinburgh, contains 17½ oz. Engliſh

PRICES of BUTCHER-MEAT, POULTRY, WILD FOWL, FISH, &c. in Edinburgh, for the first Six Months of the Year.

	January.	February.	March	April.	May.	June.
Beef, *per* pound	3½d to 2½d	Ditto	4d to 3d	Ditto	Ditto	4½d to 3d
Mutton, *per* pound	4d to 3½d	Ditto	4½d to 4d	Ditto	4d to 3½d	4½
Veal, *per* pound	4½d to 6d	Ditto	4d to 5½d	Ditto	3½d to 5d	Ditto
Pork, *per* pound	4d to 4½d	4d to 4½d	4d to 4½d	Ditto	3½d to 4d	Ditto
Lamb, *per* quarter	5s 6d	5s	4s	3s to 2s 6d	2s	1s 8d
Fowls, *per* pair	2s 6d to 5s	Ditto	2s to 4s 6d	2s to 4s	2s to 3s 10d	3s 6d
Ducks, *per* pair	2s to 2s 6d	Ditto	Ditto	4s	3s 6d	3s to 2s
Chickens, *per* pair			1s 8d	Ditto	1s 4d	1s 2d
Pidgeons, *per* pair			8d to 10d	Ditto	6d to 8d	5d to 6d
Partridges, *per* pair	1s to 1s 8d					
Muirfowl, *per* pair						
Wild Ducks, *per* pair	3s to 3s 6d	3s to 3s 6d	2s 6d to 3s 6d	Ditto	Ditto	
Pig, *per* piece	3s to 3s 6d	Ditto	Ditto	Ditto	Ditto	Ditto
Goose, *per* piece	3s	2s 3d to 3s	Ditto	2s	3s 6d	3s
Turkey, *per* piece	4s 6d to 7s	Ditto	4s to 6s			3s 6d
Wild Goose, *per* piece	2s to 3s	Ditto	Ditto	Ditto		
Salmon, *per* pound	10d to 1s	Ditto	8d to 10d	Ditto	Ditto	6d to 8d
Cod, *per* piece	3s 6d	Ditto	3s 6d to 5s 6d	Ditto	3s to 4s	2s 6d to 3s 6d
Soles, *per* pair				2s to 3s 6d	2s to 4s	Ditto
Haddocks, *per* dozen	1s 6d to 3s	Ditto	1s 6d to 2s 6d	1s to 2s 6d	Ditto	1s to 1s 6d
Whitings, *per* dozen	1s 6d to 3s	Ditto	1s to 2s			
Turbot, *per* piece			3s to 9s	Ditto	Ditto	2s to 7s
Lobster, *per* piece	6d to 1s 2d	Ditto	Ditto	6d to 1s	Ditto	4d to 8d
Crab, *per* piece	1d to 3d	Ditto	Ditto	Ditto.	Ditto	Ditto
Herrings, *per* dozen				4d to 9d		6d to 9d
Shrimps, *per* scots pint			2s	Ditto	1s	Ditto
Smelts, *per* 100			1s 6d to 3s	Ditto	Ditto	
Oysters, *per* 100	8d to 1s	Ditto	Ditto	Ditto		

PRICES of Butcher-Meat, Poultry, Wild Fowl, Fish, &c. in Edinburgh, for the laſt Six Months of the Year.

	July.	Auguſt.	September.	October.	November.	December.
Beef, *per* pound	4d to 3d	3½d to 2½d	Ditto	Ditto	Ditto	Ditto
Mutton, *per* pound	4d	4d	4d to 3½d	3½d to 3d	3d	3½d to 3d
Veal, *per* pound	3½d to 5d	4d to 5d	Ditto	4½d to 5d	Ditto	4½d to 5½d
Pork, *per* pound				3½d to 4d	Ditto	4d to 4½d
Lamb, *per* quarter	1s. 4d	1s 3d	1s 6d	1s 2d		
Fowls, *per* pair	2s to 3s 6d	2s to 3s 6d	Ditto	2s to 3s	2s to 3s 6d	2s to 4s
Ducks, *per* pair	2s to 2s 6d	2s 4d	Ditto	2s	Ditto	2s to 2s 6d
Chickens, *per* pair	1s	1s 4d	Ditto	Ditto	1s 2d	Ditto
Pidgeons, *per* pair	4d to 9d	4d to 5d	5d to 6d	Ditto	Ditto	6d to 7d
Patridges, *per* pair			1s to 1s 6d	Ditto	Ditto	Ditto
Muirfowl, *per* pair		3s to 4s	2s 6d to 3s 6d	2s 4d to 3s 4d	Ditto	Ditto
Wild Ducks, *per* pair					2s 6d to 3s 6d	Ditto
Pig, *per* piece	3s to 3s 6d	Ditto	Ditto	Ditto	Ditto	Ditto
Gooſe, *per* piece	3s	Ditto	Ditto	2s 6d	Ditto	3s
Turkey, *per* piece	3s	2s 6d	4s	4s 6d	4s 6d to 6s	4s 6d to 7s
Wild Gooſe, *per* piece						
Salmon, *per* pound	6d to 8d	4d 6d				10d to 1s
Cod, *per* piece						
Soles, *per* pair	2s to 4s					
Haddocks, *per* dozen	1s to 1s, 6d				1s to 2s	1s to 2s 6d
Whitings, *per* dozen					1s 6d	2s
Turbot, *per* piece						
Lobſter, *per* piece	4d to 8d	Ditto	Ditto	Ditto	1s	6d to 1s 6d
Crab, *per* piece	1d to 3d	Ditto	Ditto	Ditto	Ditto	Ditto
Herrings, *per* dozen	6d to 9d	Ditto				
Shrimps, *per* Scots pint	1s	Ditto	Ditto	Ditto		
Smelts, *per* 100			1s 6d to 3s	Ditto	Ditto	Ditto
Oyſters, *per* 100			8d to 1s	Ditto	Ditto	Ditto

CHAPTER II.

Of Houſes for the Reception and Entertainment of Strangers, and of the Amuſements and Public Diverſions of Edinburgh—Of the Royal Company of Archers—The Company of Golfers—The Society of Bowlers—The Company of Hunters—The Stage—The Concert—The Aſſemby—Card Aſſembly—Comely Garden.

THERE is no circumſtance which contributes ſo much to impreſs ſtrangers with a good opinion of the city of Edinburgh as the number and elegance of the hotels, and the excellence and cheapneſs of the taverns and eating-houſes. Formerly it was a reproach to this metropolis, that the only houſes for the reception of ſtrangers were the public inns, which, as in London, were noiſy, dirty, and incommodious. To avoid the inconvenience of theſe, when a perſon meant to reſide for any time in town, it was neceſſary to reſort to private lodgings, in which, indeed, he might find quiet, and a decent accommodation, but could hardly expect either elegance or much convenience. Of late years there is, in theſe reſpects, a moſt remarkable change. There are a number of hotels in which ſtrangers of any rank may find accommodation ſuited to their wiſhes; and that upon very reaſonable terms. Several of theſe hotels, particularly thoſe in the New Town, are not inferior in the variety and elegance of their apartments and furniture to the hotels of London. Beſides theſe, private lodgings are to be had in every quarter of the city.

The inns, which are chiefly in the ſuburbs, are likewiſe greatly improved within theſe few years. The ſuperior convenience and ſplendour of the hotels has ſtimulated the inn-keepers to a very laudable exertion in improving their houſes in point of cleanlineſs, convenience, and readineſs of ſervice.

In

In London, where a great part of the community may be ſaid to eat in public, (though not in the manner of the ancient Spartans), every ſtreet abounds in eating-houſes, cook's ſhops, chandler ſhops, and coffee-houſes, which are a ſpecies of tavern. In Edinburgh, the ſtile of manners is conſiderably different; and the man of buſineſs, the ſober citizen, and induſtrious mechanic, find ſuperior comfort in a domeſtic meal, to the tumultuous, and generally unſocial, table of an eating-houſe. In this reſpect, however, a ſtranger is at no loſs. Every hotel furniſhes to its lodgers breakfaſt, dinner, and ſupper: And moſt of the coffee-houſes are likewiſe, in the ſtile of thoſe of London, eating-houſes, where, at the common hours of repaſt, a ſtranger is ſure of finding well dreſſed victuals, and, in general, excellent wine. A ſtranger who lives in private lodgings, if he does not chooſe to board with the family, is ſupplied at an eaſy rate from theſe coffee-houſes, or from the taverns, with any thing that he requires for the table *.

In no city of Europe are the markets of every kind better ſupplied than thoſe of Edinburgh, nor are the prices to be at all complained of as immoderate. This will appear from the account that has been already given in the table of proviſions in the preceding chapter, which exhibits to the eye both the great variety of all the articles of proviſion, and the prices at which they are ſold. Accordingly, the tables of the citizens, or middling rank of people in Edinburgh, are more plentiful, and ſhew much greater variety than thoſe of the ſame rank in London; and men of moderate fortune, chooſing to reſide in this metropolis, find that they can command luxuries of the table, which in London they would ſcarcely find within the reach of double the ſame income. This has been confeſſed by all ſtrangers; and the proof of it is ſeen not only in the private tables of the inhabitants, but in the entertainments furniſhed in the taverns.

* For many peculiarities in the modes of living, and manners of the people of Edinburgh, ſee three letters in Appendix, No. 13.

An Edinburgh tavern (if a good one) is the beſt of all taverns. The cuſtom of charging ſo much for every diſh is not known in Scotland: The rule is, ſo much per head. It cannot fail to ſurpriſe an Engliſhman to ſee two complete courſes, containing every thing nice in ſeaſon, and frequently a deſert of excellent fruits, at the rate of half-a-crown a head. But the great article from which the landlord expects his profit is the wine, which is there drank in much greater quantities than in England.

The tavern is much frequented in Edinburgh, although by no means to ſuch a degree as formerly. Within theſe fifty years, hardly any ſort of buſineſs was tranſacted but in a tavern.

In Edinburgh there is a ſpecies of taverns of a lower denomination, which, however, are ſometimes reſorted to by good company, when diſpoſed to enjoy a frolic. Theſe are the oyſter-cellars, a ſort of ale-houſes, where the proper entertainment of the houſe is oyſters, punch, and porter; but where a ſupper may be had, upon warning, equal to any in the taverns. Moſt of theſe oyſter-cellars have a ſort of long-room, where a ſmall party may enjoy the exerciſe of a country-dance, to the muſic of a fiddle, harp, or bag-pipe. But the equivocal character of theſe houſes of reſort prevents them from being viſited by any of the fair ſex who ſeek the praiſe of delicacy, or pique themſelves on propriety of conduct.

In the capital taverns there are wines to be had of every kind, and of the beſt quality. The claret is in general excellent, and equal to any that is to be had in London. It has been remarked that the London claret is ſtronger than that which is commonly drank in Scotland. Its ſtrength is not its own, but is given to it by the merchant, who knows the palate of thoſe with whom he deals. But the Scotch claret is more genuine, and has a ſuperior flavour, which recommends it to every perſon of taſte. Of this ſome of the Engliſh connoiſſeurs have of late become ſenſible, and have commiſſioned their claret from Leith.

It has been complained, and with ſome reaſon, that, in the taverns of Edinburgh, juſtice is not done to the conſumer in

the

the meaſure of the bottles, which are often * greatly under the ſtandard.

The amuſements and public diverſions in Edinburgh, may be divided into ſuch as are connected with bodily exerciſe, and practiſed without doors; and thoſe which are performed within doors, whether the latter conſiſt in viewing of ſpectacles, in playing at games of chance, in muſic, or in dancing. Of the former, that of archery is the moſt eminent, whether we reſpect its antient importance, or the marks of public diſtinction beſtowed upon the company, which now exerciſes that amuſement.

Of the Royal Company of Archers.

By the invention of gun-powder, the bow, which, in moſt nations of the world, civilized as well as barbarous, was the principal implement of war, came to be entirely ſuperſeded as a military weapon; and the expertneſs of archers, which formerly decided the fate of battles and of empires, can now atchieve no greater enterprize, than to carry off the palm in a gameſome and bloodleſs conteſt.

In both the united kingdoms, the importance of archery, in former times, is evinced by the anxiety to encourage it, manifeſted in the public ſtatutes. In both, it was provided, that the importers † of merchandiſe ſhould be obliged, along with their articles of commerce, to import a certain proportion of bows, bow-ſtaves, and ſhafts, for arrows. In both, every perſon was enjoined to hold ‡ himſelf provided in bows and arrows, and was preſcribed the frequent uſe of archery. In both, a reſtraint was impoſed upon the ‖ exerciſe

* This is a ſpecies of peculation well deſerving the attention of the public, more eſpecially as the poorer, who can only afford to buy their liquors in bottles, are the principal ſufferers. A fraud of extraordinary magnitude of this ſort, was diſcovered about a year ago; but we do not chuſe to be more particular.

† James I. parl. 3. c. 47.; Edward IV. *anno* 12. c. 2. Richard III, an. 1. c. 11.

‡ James I. parl. 1. c. 18.; Henry VIII. an. 33. c. 9. ‖ James, I. parl. 1. c. 17.; James II. parl. 14. c. 64.; Henry VIII. an. 33. c. 9.

exerciſe of other games and ſports, leſt they ſhould interfere with the uſe of the bow; for it was intended, that people ſhould be made expert in the uſe of it as a military weapon, by habituating them to the familiar exerciſe of it as an inſtrument of amuſement. As there was no material difference between the activity and bodily ſtrength of the two people; and, as no remarkable ſuperiority is related of the one over the other in ſkill of archery, it is probable, that the Scots and Engliſh wielded the bow with no unequal * vigour and dexterity. By the regulations preſcribed in their ſtatute-book for the practice of archery, we find that the Engliſh ſhot a very long bow, thoſe who were arrived at their full growth and maturity being prohibited † from ſhooting at any mark that was not diſtant upwards of two hundred and twenty yards.

In Scotland, a muſter, or military rendezvous, called a *weapon-ſhawing*, was held twice or oftner in the year ‡. In the reſpective counties, people were ſummoned to it upon a premonition of twenty days, by the ſheriff and other civil magiſtrates, who, in conjunction with commiſſioners appointed by the King, ſuperintended this body of militia, divided it into companies, and appointed their captains. Thoſe in all ſtations were obliged to bear their part in this rendezvous, and to appear equipped in military array, conform to their rank. The Lords and Barons were required to give up, to the civil magiſtrates and King's commiſſioners, a *liſt of the followers* who attended them in this muſter, and of the weapons with which they were accoutered, and the commiſſioners were ordered to make up a roll of the whole, to be laid before the King.

Upon the old laws of weapon-ſhawing, a plan ſeems to have been formed by the Jacobitical party, for inſtituting, under a pretext of ſports and recreations, a military corps, which, as occaſion offered, might aſſemble under authority of law.

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* From ſuch hiſtorical monuments as remain, candour requires us to declare our opinion, that the Engliſh were ſuperior to the Scots in archery.

† Henry VIII. an. 33. c. 9. ‡ James II. parl. 14. c. 64.; James IV. parl. 3. c. 31.; James V. parl. 6. c. 85. c. 89. c. 91.

A ſociety for encouraging and exerciſing archery had already been formed; had, upon their application, acquired * the patronage of the Scottiſh privy council, and got from them a prize, to be ſhot for by the company. They conſiſted of noblemen and gentlemen of diſtinction. The Marquis of Athole was their captain-general; and they held frequent meetings during the reigns of the royal brothers. For ſome time after the revolution, no traces of this company are to be diſcovered. But, upon the acceſſion of Queen Anne, and death of the Marquis of Athole, they appointed the celebrated Sir George † Mackenzie, then Lord Tarbat, and ſecretary of ſtate, and afterwards Earl of Cromarty, their captain-general. Having made choice of a leader of ſuch approven fidelity, and powerful intereſt, the opportunity was laid hold of, to obtain from Queen Anne a charter under the great ſeal, erecting them into a royal company; reviving and ratifying, in their behalf ‡, the old laws and acts of parliament in favour of archery; giving them power to admit members, to make choice of a preſes and council, to appoint their commanding officers, '*and to meet and go forth under their officers conduct in military form,* '*in manner of weapon-ſhawing, as often as they ſhould think conve-*'*nient;*' and prohibiting the civil magiſtrate from giving them any interruption. Theſe rights and privileges they were appointed to poſſeſs after the mode of feudal tenure, and to hold them in fee blench of her Majeſty, and her ſucceſſors, paying therefor an annual acknowledgment of a pair of barbed arrows.

The firſt time, that, in conſequence of this charter, they diſplayed any military parade, was in A. D. 1714. The critical ſtate of the country, the hopes and fears of oppoſite factions, arouſed by the condition of Queen Anne, whoſe death was faſt approaching, and by the tottering and diſtracted ſtate of the miniſtry, ſeem to have inſpired unuſual vigour into the company of archers. Their laws were

* Minute-book of the royal company of archers, v. 1. p. 1. 3. 7. † Ibid. from p. 41. to p. 49. ‡ Charter in the archives of the royal company.

were extended upon * vellum, adorned with feſtoons of thiſtles, and ſubſcribed by the members. They did not heſitate to ingroſs in their minute-book, in terms which could † not be miſunderſtood, that they remembered, on his birth-day, the health of an exiled Prince. And, on the 14th of June, the Earl of Cromarty, their captain-general, although then upwards of eighty years of age, and the Earl of Wemyſs, as their lieutenant-general, marched at the head of above fifty noblemen and gentlemen, cloathed in uniform, equipped in military ‡ array, and diſtinguiſhed by their proper ſtandards, from the parliament-ſquare to the palace of Holyrood-houſe, thence to Leith, where they ſhot for the ſilver arrow given by the city of Edinburgh; and returned in ſimilar parade; having received, from the different guards which they paſſed, the ſame honours that are paid to any body of the King's forces. But next year, the Earl of Cromarty being dead, the Earl of Wemyſs headed a proceſſion, in which above an hundred of the nobility and gentry aſſiſted.

After the rebellion 1715, the archers made no parade for nine years. But the Duke of Hamilton being choſen their captain-general, they marched through Muſſelburgh A. D. 1724, and afterwards occaſionally till the year 1743; ſince which time they have not diſplayed any public parade.

It is no ways ſurpriſing, that this company was looked upon as diſaffected to government during the reigns of the firſt and ſecond Georges.

* This ſubſcription-roll is divided into five columns of names. Theſe are now filled up to the length of fourteen feet and a half. † Archers minute-book, v. 1. p. 103. 106.

‡ The uniform of the royal company of archers is tartan, lined with white, trimmed with green and white ribbons; a white ſaſh, with green toſſels; and a blue bonnet, with a St Andrews croſs. The company have two ſtandards. The firſt of theſe bears on one ſide Mars and Cupid encircled in a wreath of thiſtles, with this motto: '*In peace* and war.' On the other, a yew tree, with two men dreſſed and equipped as archers, encircled as the former, motto: '*Dat gloria vires.*' The other ſtandard diſplays, on one ſide, a lion rampant gules, on a field, or encircled with a wreath; on the top, a thiſtle and crown, motto: '*Nemo me impune laceſſet.*' On the other, St Andrew on the croſs on a field argent; at the top, a crown, motto: '*Dulce pro patria periculum.*'

Georges. None, indeed, were then admitted into it, who were not ſuppoſed to bear an attachment to the houſe of Stuart. Upon the Cardinal de Tencin having meditated an invaſion of Britain in favour of that unfortunate family, this company appointed a Highland chieftain, the head of a powerful and numerous clan, preſes of their council; with a view, (as was ſuppoſed), of inducing him to raiſe his followers, and join the Pretender. After the late rebellion, the officers of ſtate looked upon this ſociety with ſo jealous an eye, that they actually appointed ſpies to watch their conduct, and frequent their companies.

The prizes belonging to this company, and which are annually ſhot for, are a ſilver arrow, given by the town of Muſſelburgh, which appears to have been ſhot for as early as the year 1603. The victor in this, as in the other prizes, has the cuſtody of it for a year, then returns it with a medal appended, on which are engraved any motto and device which the gainer's fancy dictates. There are now a hundred and three pieces appended to this arrow.

The next prize is a ſilver arrow given to the royal company by the city of Edinburgh A. D. 1709. There are ſixty-eight pieces of gold appended to it. The perſon who wins this prize gets L. 5 Sterling from the town of Edinburgh.

The laſt prize belonging to this ſociety is a ſilver punch-bowl of about the value of forty pounds, made at the expence of the royal company A. D. 1720. To this bowl fifty-eight pieces are appended.

The affairs of this company are managed by a preſes and ſix counſellors, who are choſen annually by the whole members. The council are veſted with the power of receiving or rejecting candidates for admiſſion, and of appointing the company's officers, civil and military.

This ſociety had dwindled very much till within theſe few years, when it was revived merely by the attentions of the late Mr St Clair of Roſlin, and the reſpect which was univerſally entertained for him.

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It now conſiſts of about three hundred members, among whom are moſt of the Scottiſh nobility of the firſt diſtinction. The company meet weekly during the ſummer-ſeaſon in Edinburgh, in the Meadows, where they exerciſe themſelves in ſhooting at butts, or rovers. The want of a houſe of their own in the neighbourhood of the field being found inconvenient, the company *feued* from the town of Edinburgh about an acre of ground on the eaſt end of the Meadows, for which they pay a feu-duty of L. 12 a year, and double that ſum as entry-money every twenty-fifth year. Upon this area they began to build in Auguſt * 1776. The houſe which they have reared conſiſts of a hall, forty feet by twenty-four, and eighteen high; two rooms of eighteen by nineteen, beſides kitchen, cellars, lobby, and other apartments. The ground behind the houſe is laid out into a bowling-green. To defray the expence of this building, the company had only a ſtock of L. 300; the reſt has been raiſed by ſubſcription among the members; the expence of the whole amounting to about L. 1200.

Of the Company of Golfers.

Golf is, in ſo far as we know, a game peculiar to the Scots. Among them it has been very antient; for there are ſtatutes prohibiting † it as early as the year 1457, leſt it ſhould interfere with the ſport of archery. It is commonly played on rugged, broken ground, covered with ſhort graſs, and bents, in the neighbourhood of the ſea-ſhore. A field of this ſort is in Scotland called *links*. The game is generally ‡ played in parties of one or two on each ſide. Each party

* The foundation-ſtone was laid by William St Clair of Roſlin 15th Auguſt 1776. Beneath it was put a medal, with this inſcription: 'Has aedes, cohorti regiae ſagittariorum 'proprias, condidit G. S. R. concilii pharetrati praeſes, 17. Kal. Sept. A. P C. N. 1776.

'Nulla Caledoniam gens unquam impune laceſſet,

'Uſque ſaggittiferis robur et ardor ineſt.'

† James II. parl. 14. c. 64.

‡ A gentleman who publiſhed letters concerning the *diverſions, cuſtoms, &c. of the Scots*, written during his reſidence in Edinburgh A. D. 1775, has been pleaſed to make the top of

party has an exceeding hard ball, ſomewhat larger than a hen's egg. This they ſtrike with a ſlender and elaſtick club, of about four feet long, crooked in the head, and having lead run into it, to make it heavy. The ball being ſtruck with this club, will fly to the diſtance of 200 yards, and the game is gained by the party who puts his ball into the hole with the feweſt ſtrokes. But the game does not depend ſolely upon the ſtriking of the longeſt ball, but alſo upon meaſuring the ſtrength of the ſtroke, and applying it in ſuch direction as to lay the ball in ſmooth ground, whence it may be eaſily moved at the next ſtroke.

To encourage this amuſement, the city of Edinburgh, A. D. 1744, gave to the company of golfers a ſilver club, to be played for annually by the company, the victor to append a gold or ſilver piece to the prize. It has been played for every year ſince, except the years 1746, 1747. There are now appended to it thirty-one ſilver balls, bearing the names of the reſpective conquerors.

For their better accommodation, twenty-two members of the company ſubſcribed L. 30 each in the year 1768, for building a houſe, where their meetings might be held. The ſpot choſen for this purpoſe was the ſouth-weſt corner of Leith links, where an area was taken in feu from the magiſtrates of Edinburgh. As this ſociety is not a body-corporate, this property was veſted in Mr St Clair of Roſlin, Mr Keith of Ravelſton, and Mr W. Hog, junior, banker, for behalf of the whole ſubſcribers. The annual feu-duty payable by them to the

 town

of Arthur's-ſeat, and thoſe of the other hills in the neighbourhood of Edinburgh, fields for the game of the golf. This obſervation is ſtill more unfortunate than the general train of his remarks. Were a perſon to play a ball from the top of Arthur's-ſeat, he would probably have to walk upwards of half a mile before he could touch it again; and we will venture to ſay, that the whole art of man could not play the ball back again. When ſpeaking of theſe letters concerning Edinburgh, it is our duty to obſerve, that they appear to have been compoſed merely for the amuſement of the author. They are written with ſpirit and impartiality. But the facts and criticiſms contained in them are, for the moſt part, equally ill founded. Yet ſo candid is this author, amidſt his errors, that it is hard to ſay whether he is more erroneous when he ſpeaks in praiſe or cenſure of the Scottiſh nation. *Topham's letters.*

town of Edinburgh is 20 ſhillings; but, in caſe the houſe ſhould be occupied by any but the company of golfers, L. 5. Upon this area a ſmall commodious tavern is built, and behind it there is a bowling-green.

Of the Society of Bowlers.

Bowling muſt alſo be reckoned among the amuſements of Edinburgh. Certain gentlemen were erected into a ſociety for keeping up this amuſement by a *ſeal of cauſe* *, granted by the magiſtrates of Edinburgh 15th November 1769. This ſociety, immediately upon its erection, took from the governours of Herriot's hoſpital a leaſe of the bowling-green belonging to the hoſpital, for twenty-one years.

A ſilver jack was gifted to the company in May 1771, by Mr William Tod, ſenior, merchant. This jack is played for annually; and the gainer appends a medal, with any ſubſcription agreeable to him, the expence of the medal being defrayed by the company.

Of the Company of Hunters.

Hunting and horſe-racing have been more or leſs in vogue ever ſince the reſtoration. A company of gentlemen, inſtituted for enjoying together the ſports of the field, have ſubſiſted at Edinburgh during great part of this period. But the company has been once and again given up, partly owing to the original members who compoſed it dying out, ſometimes to the club getting into habits of extravagance, which made the members tire of it.

The company of hunters immediately preceding the preſent, had its firſt meeting at Edinburgh 10th January 1758, and was diſſolved on the ſame day of the 1766. The preſent one was inſtituted at Hamilton-

* A ſeal of cauſe is the name beſtowed upon thoſe deeds of the town-council, by which they erect certain companies within their privileges into bodies-corporate, and approve of certain laws and regulations made for their good government.

Hamilton-houſe, the ſeat of the Duke of Hamilton, on the 2d of Auguſt laſt, by the name of *the Caledonian Hunt*. At its inſtitution there were twelve members; there are now forty-five. This club has its head-quarters (if we may be allowed the expreſſion) at Edinburgh; and meets occaſionally in different parts of the country, as the inclination of the members dictates. The club is compoſed of nobility and gentry of the firſt diſtinction. They wear an uniform * at their meetings; and they give annually a magnificent ball at the palace of Holyrood-houſe. Among other rules of this company, they have eſtabliſhed proper regulations to prevent gaming.

A pack of ſlow hounds is kept at Edinburgh by ſubſcription of a ſet of gentlemen, who are not members of the *Caledonian Hunt*.

The races are commonly held at Edinburgh in the ſummer-ſeaſon. The courſe is over the ſands of Leith, which indeed are heavy and fatiguing for the horſes, eſpecially if they are not of ſtrong bottom. The races laſt for a week. The prizes run for are, a piece of plate of fifty guineas value, given by the city of Edinburgh; a purſe of fifty guineas, given by Sir Lawrence Dundas, the city's repreſentative in parliament; another purſe of fifty guineas, by ſubſcription of the nobility and gentry, to be run for by actual hunters; his Majeſty's purſe of a hundred guineas; the ladies ſubſcription purſe; and the noblemen and gentlemens ſubſcription purſe of a hundred guineas. There are three ſtewards choſen from among the nobility and gentry, who decide differences, and adjudge the prizes. They appoint their own ſucceſſors. The races are well frequented by company from the different parts of Scotland, and north of England. During the race-week, there are public diverſions every night; and an excellent ordinary, at half a crown a head, is kept at Fortune's.

* Their uniform is ſcarlet, turned up with green, and a ſilver button.

Of the Stage.

We have already traced the origin of theatrical repreſentations, and certain * changes which they had undergone; and obſerved, that, from originating in the church, they, by a ſtriking viciſſitude, came to be anathematiſed by the clergy, who, at the ſame time, were compelled by the mandate of James VI. to drop their cenſures of theatrical repreſentations.

The civil wars, in the reign of Charles I. and the gloomy fanaticiſm which ſpread itſelf among the people, left neither leiſure nor inclination for the amuſements of the ſtage. Sports and gaiety were revived with the reſtoration. The ſtage was then renewed, with this engaging novelty, that women, for the firſt time, appeared upon it; female characters † having, before that, been perſonated by ſlender youths. But, although an exception, in favour of comedians, is made in a public ‡ ſtatute, A. D. 1672, it does not appear that ſtage-plays were renewed in Edinburgh, till ſome years afterwards, when the Duke of York kept his court in that city.

At that time there were two companies of comedians in London; one under the patronage of the King, another under that of his brother. They were termed *the King's*, or *the Duke's* ſervants; were conſidered as part of their houſehold; and, in that character, they ‖ followed the courts of their reſpective maſters, and wore a kind of livery by way of diſtinction. No ſalary, however, nor certain emolument being annexed to their ſervice, the royal patronage was found inſufficient for the ſubſiſtence of rival companies; and, therefore, they were united by letters patent, in A. D. 1684.

The univerſity of Oxford had long been accuſtomed to compliment the King upon his acceſſion, and upon any fortunate events in his reign, with a kind of academical jubilee, heightened by the repreſentation

* Book 1. chap. 2. appen. No. 1.
† Hiſtriomaſtyx, p. 879. ; Cibber's life, p. 55.
‡ Charles II. parl. 2. ſeſſ. 3. c. 10.
‖ Cibber's life, p. 53. p. 58.

ſentation of a play every morning and evening while this jubilee laſted. Theſe plays were performed by the London company, and termed *public acts*. The reſidence of the Duke of York at Holy-roodhouſe divided this company, and drew off the half of them to Edinburgh. In one of thoſe *Oxford acts*, the party remaining apologiſed for their own weakneſs in the following ludicrous, but popular addreſs to the univerſity, written by Dryden:

'Diſcord and plots, which have undone our age,
'With the ſame ruin have o'erwhelm'd the ſtage.
'Our houſe has ſuffered in the common woe;
'We have been troubled with Scots rebels too.
'Our brethren have, from Thames to Tweed departed,
'And of our ſiſters, all the kinder hearted,
'*To Edinburgh gone, or coach'd, or carted.*
'With bonny *blue cap*, there they act all night,
'For Scots half crowns, in Engliſh—threepence height.
'One nymph to whom fat Sir John Falſtaff's lean,
'There, with her ſingle perſon, fills the ſcene.
'Another, with long uſe and age decayed,
'Died here old woman, and roſe there a maid.
'Our truſty door-keeper, of former time,
'There ſtruts and ſwaggers in heroick rhime.
'Tack but a copper lace to drugget ſuit,
'And there's a hero made without diſpute;
'And that which was a capon's tail before,
'Becomes a plume for Indian Emperor.
'But all his ſubjects, to expreſs the care
'Of imitation, go like Indians bare.
'Laced linen there, would be a dangerous thing,
'It might, perhaps, a new rebellion bring;
'The Scot who wore it, would be choſen King.'

The

The misfortunes attending the Duke's journey in his return to England, the political fever of his reign, and the ſullen fanaticiſm into which that fever ſubſided, in the reign of his ſucceſſor, once more diſſipated ſo effectually all ideas of polite or rational amuſement, that no return of the drama is to be traced in Scotland, even in the reign of Queen Anne, the Auguſtan age of her ſiſter-country. It was not till after the ferment, excited by the union, and the confuſion attending the rebellion 1715, had ſubſided, that any ſtage-adventurer thought of Scotland.

The firſt of theſe was Signora Violante, an Italian lady, celebrated for feats of ſtrength, poſtures, and tumbling, diſguſtful in any, but, in a woman, intolerable. At that period, however, people were not of this opinion. In company with ſome Italians, this virago travelled over England, croſſed to Dublin, and returned by the way of Edinburgh, where ſhe fitted up that houſe in the foot of Carruber's cloſe, which has ſince been occupied as a meeting-houſe, by ſucceſſive tribes of ſectaries. Encouraged by the proſpect of ſucceſs, Signora Violante collected a company of Engliſh comedians, renewed her peregrinations, and once more viſited Edinburgh with her troop. For ſome years after this period, a ſtrolling company of players annually viſited Edinburgh; from a certain quarter, however, they met with great diſcouragement *. The preſbyterian clergy were poſſeſſed with the moſt illiberal and violent animoſity againſt the ſtage. The writings of their moſt popular divines, repreſented the playhouſe as the actual temple of the Devil, where † he frequently appeared

* It is to this diſcouragement that Mr Aſton, one of the company, alludes, in the following verſes, in his prologue to the firſt night's performance at Edinburgh, A. D. 1726.

'After a circuit round the Queen of Iſles,
'To gain your friendſhip and approving ſmiles,
'Experience bids me hope;—though ſouth the Tweed
'The daſtards ſaid, "He never will ſucceed.
"What! ſuch a country look for any good in,
"That does not reliſh plays,—nor pork,—nor pudding."

Ramſay's Poems, vol. 2. p. 196.

† Addreſs to the reader, and poſtſcript to Durham on the ten commandments.

peared clothed in a corporeal ſubſtance, and poſſeſſed the ſpectators, whom he held as his worſhippers. In the year 1727, the magiſtrates and preſbytery of Edinburgh endeavoured to expel the comedians from their boundaries. The magiſtrates prohibited them from acting within the limits of their juriſdiction. A meeting of the preſbytery was held on the occaſion *, and a ſolemn deputation was appointed to wait on the magiſtrates, and expreſs the preſbytery's thanks to them, *for the juſt zeal they had ſhown in the matter.* At the ſame time a committee of divines was appointed to draw up an *act and exhortation* againſt the frequenting of ſtage-plays, which was done accordingly, and read from all the pulpits in the diſtrict; but the comedians ſuſpended the effect of the magiſtrates interdict, by bringing it under the review of the court of ſeſſion, and continued to act notwithſtanding the fulminations of the clergy.

From this time, Edinburgh, every two or three years, was viſited by itinerant companies, who occaſionally rented the *Taylor's-hall* in the Cowgate, ſo called from its belonging to the corporation of taylors. The price of admiſſion was then two ſhillings and ſixpence for pit and boxes, and eighteen pence for the gallery. At theſe rates, the Taylor's-hall, by a full houſe, drew about L. 40, or L. 45. The clergy were now in a condition to attack the ſtage with more effect. An act of parliament had been paſſed ſuppreſſing † play-houſes. Such was the zeal of the preſbytery of Edinburgh, that they brought an action upon the ſtatute againſt the comedians, at their own expence, and prevailed ‡ in the ſuit. A writ of appeal was taken out, which ſuſpended the decree of the court of ſeſſion; and, that the theatre might no longer be harraſſed by the church, application was made to parliament for a bill to enable his Majeſty to licenſe a theatre at Edinburgh. Petitions ‖ againſt this bill were preſented to the Houſe of Commons, by the Lord Provoſt, magiſtrates, and town

* Rec. of preſbytery of Edinburgh, 29th, 30th, Nov. 1727. † An. 10. Geo. II. c. 28. ‡ Scots mag. v. 1. p. 89. 1737. 1739. ‖ Journals of Houſe of Commons, 28th March, 10th April 1739.

town council of Edinburgh, by the principal and profeſſors of the Univerſity, and by the Dean of Guild and his council, and the bill was dropped. As the clergy continued to rail againſt theatrical entertainments, a ſpirit of party was excited, in conſequence of which, the theatre came to be unuſually frequented. The Taylors-hall was found inſufficient to accommodate the ſpectators.

During this glimpſe of proſperity, the comedians differed among themſelves; and a factious performer having engaged into his party the late Mrs Ward, then in the bloom of youth and beauty, attempted to ruin the manager of *Taylors-hall*, by ſetting up a new houſe. For this purpoſe a ſubſcription was ſet on foot, and tradeſmen were employed, who agreed to depend for their payment upon the proceeds of the houſe. An area was pitched upon to the weſt of St John's-ſtreet, Canongate, and the foundation-ſtone laid in Auguſt 1746, by Mr John Ryan of Covent Garden, an actor of diſtinguiſhed merit. No ſooner were the doors opened, than the Taylors-hall was deſerted, and the manager ruined, a certain conſequence of rivalſhip between theatrical companies any where but in London. The ſucceſs of this houſe was for one ſeaſon greatly enhanced by the following circumſtance: One Robert Drummond, a printer, had been ſentenced by the magiſtrates to be pilloried, and baniſhed the city for a twelvemonth, for printing a defamatory poem, or libel, reflecting upon the Duke of Cumberland, and certain zealous whigs. His printing-houſe being ſhut up, and his journeymen and apprentices ſet idle in conſequence of this ſentence, it was contrived, that the paſtoral comedy of the Gentle Shepherd ſhould be acted by theſe journeymen and apprentices for the behoof of their diſtreſſed maſter. As the ſentence againſt Drummond was deemed rigorous, and as it had become a party-affair, the ſcheme of a play was wonderfully reliſhed, and the play repeatedly performed before ſuch crowded houſes, that it was found neceſſary to erect occaſional galleries over the ſtage for the convenience of ſpectators.

The

The Canongate theatre was tolerably ſucceſsful till the year 1752, and was occaſionally viſited by performers of merit from the capital; among whom Sparks, Lacy, and De Lane, deſerve to be mentioned. By this time, few of the original proprietors were alive; the remaining ones were unable to carry on the management; it was, therefore, agreed on all hands, to diſpoſe of the theatre to Mr Lee, an actor of eminence, and at that time the favourite of the town. The price paid for it was L. 648, and L. 100 a year during life to the ſurviving leſſees. Mr Lee having, by reaſon of the ſums he laid out on his newly acquired property, and from other cauſes, fallen into arrears to tradeſmen, certain judges of the Court of Seſſion, and other perſons of diſtinction, ſixteen in number, interpoſed their credit in Mr Lee's behalf; and, with a view to their own ſecurity, obtained from him a deed of conveyance of his property. Mr Lee being unable to diſcharge the debts, theſe gentlemen ſeized the theatre for their indemnification, turned out the perſon whom they had propoſed to befriend, appointed the late James Callender merchant in Edinburgh to act for them, and engaged Mr Digges, who was then at Dublin, to ſupply the place of Mr Lee.

Lee complained heavily of theſe proceedings. He inſiſted, that the conveyance granted by him was merely a mode of ſecurity, not a deed of ſale: That he had been impoſed upon as to the form of the writ, and taken advantage of in the price ſpecified for the ſubject, which was no more than L. 500, while the property was truly worth L. 1700. To obtain redreſs of his grievances, Mr Lee brought an action before the Court of Seſſion; and a party was formed to oppoſe the new managers. After two or three pleadings, the action was dropped; and Mr Digges's figure and addreſs defeated the oppoſition.

For a few ſeaſons, the theatre was, under its new managers, carried on with appearance of ſucceſs. Beſides Meſſrs Ward, Love, Stamper, Griffith, Lancaſhire, all actors of merit, belonging to the company, it was viſited by others from the capital; particularly

Mrs Bellamy, who afforded univerſal ſatisfaction. Mr Digges's private debts at laſt obliged him to withdraw, leaving the management of the theatre to Meſſrs Callender and Love. Theſe afterwards yielded the management to John Dowſon of Newcaſtle, and David Beatt of Edinburgh, who took a leaſe of the theatre; both of them mere adventurers, and equally ignorant of theatrical buſineſs. The confuſion into which the theatre fell, ſpeedily evinced how much Meſſrs Beatt and Dowſon were unqualified to conduct it. Diſſentions aroſe among the performers, which the managers were unable to allay. Each party had their friends among the public. The gentlemen of the long robe took a deep concern in the quarrel. The ſtudents at the Univerſity did not remain neutral. In a riot which enſued, the Canongate theatre was totally demoliſhed; and the performers, who had drawn this ruin upon themſelves, were left in extreme neceſſity.

During all this time, the gentlemen who had obtained a conveyance from Mr Lee, remained proprietors. They found themſelves at this period involved in a debt of L. 900, on account of the theatre, without the ſhadow of a property to diſcharge it. They brought an action of damages againſt the young gentlemen concerned in the riot, in which their property was deſtroyed. The latter, with great addreſs, traverſed it by a counter-action againſt theſe proprietors, for having plays acted in their houſe, contrary to act of parliament. Many of thoſe proprietors were now raiſed to the bench; hardly a quorum remained to decide the queſtions. The ludicrouſneſs of the caſe was perceived, and both actions were dropped.

The Edinburgh theatre had hitherto been carried on contrary to law, under the evaſion of '*a concert of muſick, with a play* '*between the acts.*' The prejudice againſt the ſtage had much abated, chiefly in conſequence of *the tragedy of Douglas*, the idle clamours raiſed againſt that tragedy by the clergy, and the ſpeculations which thoſe clamours excited among the people. Their attention was turned to the ſtage, by the curious actions at law, which originated

nated from the late riot; and it was reſolved to apply for the authority of parliament, towards obtaining a licenſed theatre. For this, the bill preparing to be preſented for the extenſion of the royalty, afforded a ready opportunity. A clauſe was added to it, enabling his Majeſty to licenſe a theatre at Edinburgh.

The expence of this additional clauſe was defrayed by the gentlemen proprietors of the old theatre; and the patent was taken out in the name of Mr Henry Davidſon ſollicitor at law, their attorney. Although the public concerned themſelves deeply in this buſineſs, no one adverted to the conſequences of that mode of taking out the patent. When candidates appeared, all were ſurpriſed to find the ſole diſpoſal of the patent veſted in theſe gentlemen. But they were ſtill more alarmed, when they found, that the new patentee was to be loaded with the whole debts affecting the old theatre.

The candidates were Mr Lee, already mentioned, and Mr Roſs, then a principal performer at Covent Garden. A violent contention enſued; the firſt enjoying the public favour, while the laſt had a majority of ſuffrages among thoſe who had veſted themſelves with the diſpoſal of the patent. To Roſs it was given accordingly, upon his making payment of L. 1100 to the old managers, being the amount of the debts and expences incurred by them. Thus did they get themſelves rid of a ſcrape into which their fondneſs for theatrical amuſements had unwarily drawn them.

Mr Roſs having become patentee, ſet himſelf about building a new theatre. The ſpot pitched upon for this purpoſe, was in the extended royalty, at the north end of the bridge, where it produces the double effect of diſguſting ſpectators by its own deformity, and of obſtructing the view of the Regiſter-office, perhaps the handſomeſt building in the nation. Ways and means were to be deviſed for raiſing money to defray the expence of this intended theatre. Mr Roſs was already L. 1100 out of pocket for the patent. He propoſed to raiſe L. 2500, in ſums of L. 100 each, for which he was to give ſecurity upon the new theatre, wardrope, and patent,

to pay for each ſum or ſhare of L. 100, three *per cent.* of intereſt, beſides giving a privilege to the holders of the reſpective ſhares, of admiſſion to all ſpectacles to be exhibited in that houſe. The ſhares, however, were only to be transferable, the capital was not to be exigible from the patentee.

By theſe, and other ſpecious engagements, which, by the bye, were not over punctually fulfilled, about twenty-five gentlemen were induced to ſubſcribe, and a ſum of L. 2500 was thereby raiſed to the patentee. The building was begun A. D. 1768, and the houſe opened in December 1769; the expence of houſe, wardrobe, and ſcenery, amounting to about L. 5000. The deſign of the theatre reſembles that of Briſtol; it is ſimple, commodious, and elegant. When Mr Roſs obtained the patent, the price of admiſſion was raiſed to three ſhillings, pit and boxes; two ſhillings the gallery; and one ſhilling the upper gallery. At theſe rates, the houſe holds about * L. 140.

A temporary, but heavy misfortune, befel the play-houſe before it was compleated; namely, the downfall of the bridge, by which any tolerable communication between it and the city was cut off. The indifference of the company which the manager had provided, gave little inducement to people, at the expence of ſuch diſagreeable acceſs, to viſit his theatre: But he exclaimed loudly in his own defence, that good performers were ſo diſcouraged by the fall of the bridge, that they would not engage with him; and his popularity not being equal to his merit as an actor, but rather proportioned to his indolence as a manager, he made but an unſucceſsful campaign. The fact is, Edinburgh does not give encouragement to the ſtage proportionable to the populouſneſs of the city. This does not proceed ſo much from the remaining leaven of fanaticiſm, as from the poorneſs of Scots fortunes, the inconſiderableneſs of the trade and manufactures, or the ſmallneſs of the profits ariſing from them. Theſe do not admit of ordinary gentlewomen, or the wives and daughters

* The Canongate theatre at 2 s. 6 d. 1 s. 6 d. and 1 s. held between L. 70 and L. 80.

daughters of ſhop-keepers and mechanicks going often to the play-houſe; therefore they keep their penny till ſome occaſion, (no matter what), makes it reported that *the houſe is to be throng*, then every one crowds to the theatre, while, without ſuch report, its walls would be deſolate. As for the gentlemen, the ſtage has not ſuch attractions for them, as the ſocial pleaſures of the bottle, or the pungent emotions of the hazard-table.

The ſucceſs of the patentee not being ſuitable to his expectations, he let the theatre for three years to Mr Foote, who, with Meſſrs Woodward and Weſton, at the head of a good company, opened the ſecond ſeaſon of the new houſe; and, after paying the proprietor his rent, cleared upwards of L. 1000. Edinburgh lay at an inconvenient diſtance for a perſon in Mr Foote's ſituation. He conveyed the leaſe to the old manager Mr Digges, in conjunction with Mr Bland. Mr Bland had originally been taken into partnerſhip with Mr Roſs, and had, with that view, contributed L. 400 of the price of the patent: But his concern was afterwards repurchaſed by Mr Roſs, for an annuity of L. 100 a-year, with which the theatre continues to be charged. Digges and Bland ſet out with an excellent company, in which Mrs Hartley made her firſt appearance. In that ſeaſon they cleared upwards of L. 1400.

Upon the expiry of Mr Foote's leaſe, Meſſrs Digges and Bland entered into a new contract with Mr Roſs, by which they agreed to pay him for a leaſe of his theatre five hundred guineas *per annum*. It does not appear, that the proceeds of the Edinburgh ſtage can afford ſo large a rent to the patentee or proprietor, and alſo yield a decent profit to the leſſee. The preſent managers have reſted their own intereſt upon the moſt ſolid baſis, namely, paying the moſt induſtrious attention to pleaſe the public, by grudging no trouble nor expence, in bringing excellent actors upon the ſtage. Accordingly, during their management, every capital performer in Britain, GARRICK excepted, has appeared upon the Edinburgh ſtage. Yet this high rent bears ſo hard upon the leſſees, that they are not able to decorate

decorate the theatre, nor provide a ſuitable wardrobe; and Mr Digges being obliged, once more, to withdraw from Edinburgh, from prudential conſiderations, the proceeds of the theatre are decreaſing; ſo that, unleſs ſome new plan be adopted, the whole muſt again go to ruin.

Having finiſhed the hiſtory of the Edinburgh ſtage, it will be proper to take notice of certain theatrical incidents, which we omitted in the courſe of our narration. Theſe are, the riot of Culloden; the riot upon the farce of High Life below ſtairs; and the tragedy of Douglas.

After the rebellion 1745, the divided ſpectators frequently diſplayed in the theatre a ſpirit of political diſſention. Upon the anniverſary of the battle of Culloden 1749, this animoſity roſe to a height which threatened conſequences of a ſerious nature. Certain military gentlemen who were in the play-houſe, called out to the band of muſick to play *Culloden* *. This was regarded by the audience as ungenerouſly and inſolently upbraiding the country with her misfortunes. Reſenting it accordingly, they ordered the band to play, *you're welcome* † *Charles Stuart*. The muſicians complying, inſtantly a number of officers attacked the orcheſtre with drawn ſwords, and leaped upon the ſtage. Among them was the ſon of a chieftain, who had drawn the Pretender on to his raſh attempt, by offering to join him with his clan, and who, upon the Prince's landing, raiſed his clan, it is true; but, inſtead of fulfilling his engagements, joined the royal army. This young gentleman leaping upon the ſtage, to diſplay the zealouſneſs of his loyalty, ſlipped his foot, and fell flat upon the ſtage. The ſpectators being tickled with the circumſtance, an immenſe peal of laughter burſt through the houſe, which exaſperated the indignation of the officers. Mean time, fiddle-ſticks being unable to cope with poliſhed ſteel, the muſicians fled; but the military were not long able to remain maſters of

* A tune compoſed, in order to keep up the remembrance of the bloody defeat of an unfortunate party. † A ſong of the Jacobite party.

of the field. They were aſſailed from the galleries with apples, ſnuff-boxes, broken forms, in ſhort, with every thing miſſile that could be laid hold of. The officers at once conſulted their ſafety, and went in queſt of revenge, by quitting the ſtage, in order to attack the galleries, which they ſtormed ſword in hand. The inhabitants of theſe upper regions defended themſelves from the fury of the ſoldiers, by barricading their doors. The Highland chairmen learning the nature of the quarrel, with their poles attacked the officers in the rear, who, being neither able to advance nor retreat, were obliged to ſurrender at diſcretion, leaving the chairmen maſters of the field.

Luckily no misfortune of any conſequence happened in this fray; and, to prevent ſimilar diſturbances, bills were next day paſted up, wherein it was notified, in large rubricks, that, for the future, the band of muſick was not to play any tunes at the deſire of the audience, but ſelect pieces appointed by the managers.

About twenty years ago, the practice of giving vails to ſervants prevailed univerſally through Scotland. Nothing can be conceived meaner, on the part of a maſter, than permitting his ſervants to be paid by others than himſelf; nothing more inhoſpitable towards gueſts, than ſuffering them, in a manner, to pay for their entertainment. Nothing can tend more to make ſervants rapacious, inſolent, and profligate, than allowing them to diſplay their addreſs in extracting money from the viſitors of their lord; yet this cuſtom had crept in univerſally. Its bad effects had already been ſeverely felt, when an outrage of the footmen in the play-houſe diſplayed the evil in ſo ſtrong a light, as to occaſion its redreſs.

Although it is the province of the ſtage to laſh the vices, and ridicule the follies of people in all ranks; yet, ſoon after the farce of *High Life below ſtairs* was publiſhed, the footmen, taking it in high dudgeon, that a farce, reflecting on their fraternity, ſhould be exhibited, reſolved that it ſhould be no more performed. Accordingly, upon the ſecond night of its being announced in the bills, as a part of

of the entertainment, Mr Love, one of the managers, came upon the ſtage, and read a letter, containing the moſt violent threatenings, both againſt the actors and the houſe, in caſe the piece ſhould be repreſented; declaring, that above ſeventy people had agreed to ſacrifice *fame*, *honour*, *and profit*, to prevent it. Notwithſtanding this fulmination, the performers were ordered to go on. That ſervants might not be kept in the cold, nor induced to tipple in adjacent alehouſes while they waited for their maſters, the humanity of the gentry had provided, that the upper gallery ſhould afford, gratis, admiſſion to the ſervants of ſuch perſons as were attending the theatre. Yet, did the only part of the ſpectators, which were admitted for nothing, preſume to forbid the entertainment of their maſters, becauſe it expoſed the vices of their own order. No ſooner was the piece begun, than a prodigious noiſe was heard from the footmens-gallery. They were ordered to be ſilent, but ineffectually. Many of the gentlemen diſcovered, among this noiſy crew, their individual ſervants. When theſe would not ſubmit to authority, their maſters, aſſiſted by others in the houſe, went up to the gallery; and it was not till after a battle, and that the ſervants were fairly overpowered, and thurſt out of the houſe, that quietneſs could be reſtored.

So daring an inſult made it not only neceſſary that the ſervants ſhould be deprived of the freedom of the play-houſe, which they had ſo groſsly abuſed, but that the practice of giving vails, ſo pernicious to their morals, ſhould be aboliſhed. The gentlemen of the county of Aberdeen had the merit of being the firſt to make a reſolution neither to give, nor allow their ſervants to receive, any money from their viſitors, under the name of drink-money, card-money, &c.; and inſtead of it to augment their wages. They were followed by the gentlemen of the county of Edinburgh, by the Faculty of Advocates, and other reſpectable public bodies; and the practice was utterly exploded over all Scotland. It is ſurpriſing, that, conſidering the good ſenſe and generoſity of the Engliſh, ſo dirty and pernicious a cuſtom, a cuſtom ſo oppreſſive upon poor gentlemen, who viſit in the

the houſes of their ſuperiors, ſhould, on the ſouth ſide of the Tweed, be in part allowed to remain.

After the preſbyterian clergy had railed againſt the ſtage upwards of a century and a half, it was a matter of no ſmall mortification to them to behold a play written by one of their own order, acted in preſence of ſeveral of their number, and received with univerſal applauſe. The tragedy of Douglas was performed firſt at Edinburgh on the 14th December 1756. It was acted, for ſucceſſive nights, before perſons of all ranks and profeſſions, and had a run unprecedented in any theatrical piece exhibited in Scotland.

The preſbytery of Edinburgh took the alarm. They called before them ſuch miniſters within their diſtrict as had witneſſed the performance of the play, and paſſed upon them a ſentence of temporal ſuſpenſion from the paſtoral office. They, at the ſame time, wrote circular letters to thoſe preſbyteries in which any clergyman belonging to them had been preſent at the theatre, recommending rigorous proceedings againſt them. They went about to miſrepreſent the conduct of a certain clergyman, while in the play-houſe, interpreting, into riotous behaviour, a conduct that was in all reſpects manly, honourable, and decent. With regard to the play itſelf, they attacked it, on account of its pretended irreligious and immoral tendency, alledging, in ſupport of their charge, that there were certain impious invocations, or mock-prayers, in it; and an expreſſion * of horrid ſwearing; beſides, that it encouraged ſuicide. As to the author, he was cited to appear before his own preſbytery, to anſwer the libel brought againſt him. But the poet, foreſeeing the diſagreeableneſs of his ſituation, and perhaps having no violent attachment to his profeſſion, declined an appearance before his brethren, at the expence of reſigning his paſtoral charge. With reſpect to their flock, the preſbytery drew up an *act and exhortation*, which

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* The expreſſion found fault with was the following: 'By him that died on the accurſed tree;' an oath taken almoſt verbatim from the old Engliſh ballad of 'Adam Bell 'Clym of the Clough,' &c. See Reliques of Antient Poetry.

was read from all the pulpits, and afterwards made its appearance in ſome periodical publications. In this addreſs, the preſbytery, after making the hackney'd complaint, of the growth of immorality and irreligion, ſet forth, either from involuntary ignorance *, or with deliberate falſehood, that the Chriſtian church had, in all ages, condemned dramatick repreſentations. They proceeded, in whining jargon, to '*warn, exhort, obteſt, and plead, with all* † *within their* '*bounds, to diſcourage the illegal and dangerous entertainments of the* '*ſtage; and to reſtrain thoſe under their influence from frequenting* '*ſuch ſeminaries of vice and folly.*' The preſbytery of Glaſgow (though nowiſe concerned) joined in the cry, '*lamenting the me-*'*lancholy fact, that there ſhould be a tragedy written by a miniſter of* '*the church of Scotland.*'

Exhortations, ſo full of fanaticiſm, or hypocriſy; meaſures, ſo illiberal, and oppreſſive, rouſed the public attention, and, by leading people to conſult their own reaſon, in a good manner diſſipated the prejudices which had hitherto ſubſiſted againſt the ſtage. Thus a ſtriking leſſon was afforded, 'That extravagant and unſucceſsful 'attempts to enſlave the minds of men muſt be productive of in-'creaſing liberality of ſentiment.'

Of

* It is really deplorable to ſee a public body, ſo reſpectable from their function, addreſſing the public with ſo groſs an untruth. It has been already ſhown, that, in modern Europe, the ſtage originated from the church; B. 1. c. 2. But to be more minute. Such was St Paul's opinion of dramatick performances, that he has actually given a verſe of the Thais of Menander, as a paſſage of holy writ; 1 Corinth. xv. 33.; *Reliquiae Menandri clerici, p.* 79. *Grotii Excerpta ex Menandro, p.* 72. 73. St Gregory of Nazianzen, one of the Fathers, and Biſhop of Conſtantinople, wrote a piece, entitled, '*Chriſtus patiens, Tragedia, ſive potius* '*Tragi-comedia;*' *St Gregorii Nazianzini op. v.* 2 *p.* 253. Upon the dawn of Letters, the Greek comedy was revived by Cardinal Bibiena, and tragedy by Triſſino Archbiſhop of Benevento; Eſſai ſur les Moeurs et l'Eſprit de Nations, par Voltaire, p. 368. The general aſſembly of the church of Scotland expreſsly admitted of theatrical exhibitions, provided the ſubject was not ſcriptural; Book of Univerſal Kirk, p. 145. 161. Buchanan wrote, '*Jephthes, ſive votum, tragedia;*' and '*Baptiſtes, ſive Calumnia, tragedia;*' beſides tranſlating the Medea and Alceſtis of Euripides, Milton wrote *Samſon Agoniſtes*, and Comus, a Maſk.

† This remarkable ſpecimen of cant and jargon may be ſeen in the Scots magazine, v. 19. p. 18.

Of the Concert.

The muſical ſociety of Edinburgh, whoſe weekly concerts form one of the moſt elegant entertainments of that metropolis, was firſt inſtituted in the year 1728.

Before that time, ſeveral gentlemen, performers on the harpſichord and violin, had formed a weekly club at the Croſs-keys tavern *, where the common entertainment conſiſted in playing the concertos and ſonatas of Correlli, then juſt publiſhed; and the overtures of Handel. That meeting becoming numerous, they inſtituted, in March 1728, a ſociety of ſeventy members, for the purpoſe of holding a weekly concert. A governour, deputy-governour, treaſurer, and five directors, are annually choſen by the members, for regulating the affairs of this ſociety. Its meetings have been continued ſince that period much on the ſame plan, only the place where they are held has been changed from St Mary's Chapel to their own hall. Theſe meetings are only interrupted during three or four weeks of the vacation, in the months of September and October.

The preſent Concert hall, which is ſituated in a centrical part of the town, was built A. D. 1762. The plan was drawn by Sir Robert Mylne, architect of Blackfriars-bridge, after the model of the great opera theatre at Parma, but on a ſmaller ſcale; and the expence was defrayed by voluntary ſubſcription among the members. The muſical room is reckoned uncommonly elegant. It is of an oval form; the ceiling, a concave elliptical dome, lighted ſolely from the top by a lanthorn. Its conſtruction is excellently adapted for muſick; and the ſeats ranged in the room in the form of an amphitheatre, beſides leaving a large area in the middle of the room, are capable of containing a company of about five hundred perſons. The orcheſtre is at the upper end, which is handſomely terminated by an elegant organ.

* Kept by one Steil, a great lover of muſick, and a good ſinger of Scots ſongs.

The band conſiſts of a *Maeſtro di capella*, an organiſt, two violins, two tenors, ſix or eight *ripienos*, a double or *contra*-baſe, and harpſichord; and occaſionally two French horns, beſides kettle-drums, flutes, and clarinets. There is always one good ſinger, and there are ſometimes two, upon the eſtabliſhment. A few years ago, the celebrated Tenducci was at the head of this company. The principal foreign maſters at preſent in the ſervice of the muſical ſociety are, firſt violin, Signor Puppo; ſecond, Signor Corri; violincello, Signor Schetky; ſingers, Signor and Signora Corri. All of theſe are excellent in their different apartments. They have ſalaries from the ſociety according to their reſpective merits.

Beſides an extraordinary concert, in honour of St Cecilia, the patroneſs of muſic, there are uſually performed, in the courſe of the year, two or three of Handel's oratorios. That great maſter gave this ſociety the privilege of having full copies made for them, of all his manuſcript oratorios. An occaſional concert is ſometimes given upon the death of a governour or director. This is conducted in the manner of a *concerto ſpirituale*. The pieces are of ſacred muſick; the ſymphonies accompanied with the full organ, French-horns, clarinets, and kettle-drums. Upon theſe occaſions, the audience is in deep mourning, which, added to the pathetic ſolemnity of the muſick, has a noble and ſtriking effect upon the mind.

The muſick generally performed, is a proper mixture of the modern and antient ſtile. The former, although agreeable to the prevailing taſte, is not allowed to debar the amuſement of thoſe, who find more pleaſure in the old compoſitions. In every plan there are one or two pieces of Corelli, Handel, or Geminiani.

Among the number of members, which is now increaſed to 200, there are many excellent performers, who take their parts in the orcheſtre, eſpecially in extraordinary concerts, where ſometimes a whole act is performed ſolely by the gentlemen-members.

Formerly ſome of the members of this ſociety inſtituted a catch-club, which met after the concert. On the great concert, in honour

nour of St Cecilia, the governour and directors were in uſe to invite a few of their friends, and ſtrangers of faſhion, to an entertainment of this kind, after the concert, where ſelect pieces of vocal muſick were performed, intermingled with Scots ſongs, duets, catches, and glees. There were many excellent voices in the catch-club, who ſung each their part at ſight; and the eaſy cheerfulneſs which reigned in this ſelect ſociety, rendered their meetings delightful. When the Prince of Heſſe was in Scotland in 1745-6, his Highneſs, and ſeveral of the nobility, were elegantly entertained by Lord Drummore, then governour of the muſical ſociety, and the gentlemen of the catch-club. The Prince was not only a *dillettante*, but a good performer on the violincello. The Scots ſongs, and Engliſh catches, were to him a new and an agreeable entertainment. The ſelection of company, which, for ſome years, gave high ſpirit and repute to this joyous convivial club, by degrees relaxed; it of courſe became numerous and expenſive, and at laſt broke up.

Company are admitted to the entertainments of the concert, by ſpecial tickets, which are not transferable, and ſerve for the night only upon which they are granted; and, in the admiſſion, which is always gratis, except at the benefit-concerts given for the emolument of performers, a preference is conſtantly ſhown to ſtrangers. By an uniform adherence to the ſpirit and rules of the ſociety, and a ſtrict oeconomy in the management of their funds, the muſical ſociety has ſubſiſted theſe fifty years, with great honour and reputation; and, at preſent, it is eſteemed one of the moſt elegant and genteel entertainments, conducted upon the moſt moderate expence, of any in Britain.

Of the Assembly.

An aſſembly is held once or oftener weekly, during the winter-ſeaſon. A regular aſſembly was firſt held in Edinburgh about the year 1710. It continued entirely under private management till

A. D.

A. D. 1746. It has ſince been under the guidance of ſeven gentlemen directors, who manage it in behalf of the Charity work-houſe, and Royal Infirmary, to whom the property of the Aſſembly-hall now belongs. But the oeconomy of dancing, and other buſineſs of the night, is ſuperintended by a woman of faſhion, appointed by the directors.

This lady ſits at the head of the room, and wears, as the badge of her office, a gold medal, with motto and device, emblematical of charity and parental tenderneſs. The tickets for admiſſion are ſold for half a crown. From the receipts of the houſe, the expence of lights and muſick is defrayed, as well as of tea and coffee, which are furniſhed to the company without any additional charge. The reſidue is divided equally between the Charity work-houſe and Royal Infirmary.

A new houſe for holding aſſemblies is much needed in Edinburgh. In the preſent one, the dancing-room is neither elegant nor commodious. The door is ſo diſpoſed, that a ſtream of air ruſhes through it into the room; and, as the footmen are allowed to ſtand with their flambeaux in the entry, before the entertainment is half over, the room is filled with ſmoak almoſt to ſuffocation. There are two tea or card-rooms, but no ſupper-room. When balls are given in the Aſſembly-room, and after them ſupper, nothing can be more aukward or incommodious to the company, than the want of diſtinct apartments for ſupper and dancing. At preſent, upon theſe occaſions, the table is covered in the dancing-room before the company meets. Additional tables are ſet out, when room is made for them by the dancing being over. Chairs are to be brought in, and waiters are pouring in with diſhes, while the company are ſtanding all the while in the floor. As this inconveniency can only be remedied by building a new aſſembly-houſe; ſo, that can only be brought about by ſubſcription, for the city of Edinburgh have no funds at preſent for carrying on ſuch a work.

Of the Card Assembly.

An aſſembly was inſtituted A. D. 1774, for genteel people of both ſexes meeting to play at cards. This aſſembly is ſupported partly by ſubſcribers, partly by other company who occaſionally reſort to it. Its meetings are held once a week in the winter-ſeaſon. There are an unlimited number of ſubſcribers who pay a guinea each, annually, for a ticket, which entitles them to conſtant admiſſion. The ſubſcribers alone have the power of giving tickets of admiſſion to this aſſembly; ſo that there is by no means a promiſcuous company: But thoſe who are thus introduced, pay half a crown each for their tickets. Beſides the expence of the rooms, tea and coffee are given without any additional charge. The ſurplus, after defraying this expence, goes to a widow gentlewoman who manages the rooms.

Of Comely Garden.

A wretched attempt to imitate Vauxhall, for which neither the climate nor the gardens are adapted.

CHAPTER.

CHAPTER III.

OF the Univerſity of Edinburgh, and other Seminaries of Learning—The College Library—Obſervatory—Botanic Garden—High School—Academy for Drawing—Royal Academy—Academy of Deaf and Dumb—Society for Propagating Chriſtian Knowledge—Philoſophical Society—Medical Society—Speculative Society.

UNIVERSITIES were originally eccleſiaſtical corporations, inſtituted for the advancement of learning. As bodies-corporate, they could hold and purchaſe property, ſue and be ſued. From pious or charitable motives, or the love of learning, they received * ample endowments from noble and royal donors, and enjoyed valuable and important privileges. They were generally exempted from public taxations, and were allowed to appear by their repreſentatives in the public † councils.

Not only the profeſſors, but the ſtudents alſo, were members of the body-corporate, over which its diſtinguiſhed officers ‡ poſſeſſed an ample juriſdiction, extending to all civil caſes, and to ſuch criminal ones as were not of a capital nature; and its members, that their leiſure might not be interrupted, nor attention diſtracted from literary purſuits, enjoyed a privilege, that they could not be ſummoned before any court but thoſe of the Univerſity; while, at the ſame time, they could compel others to follow their tribunal.

over

* Charter by James I. to the Univerſity of St Andrews, 31ſt March 1432, and by James II. to the Univerſity of Glaſgow, 20th April 1453, in Archives of the Univerſities of St Andrews and Glaſgow. Book of diſcipline of the church of Scotland, v. 2. p. 561.

† In England the two univerſities ſend repreſentatives to parliament. The Scots univerſities ſend members to the General Aſſembly. ‡ Cor. jur. civ. Cod. lib. 4. T. 13. L. ult. Charter by the Biſhop of St Andrews, penult. Feb. 1411, in archives of St Andrews.; Blackſtone's commentary, v. 3. p. 83.

The chancellor was the ſupreme magiſtrate in moſt univerſities. This diſtinguiſhed office was held by the Biſhop of the dioceſe, who preſided in the general councils of the univerſity, and * exerciſed over it a viſitatorial authority, in ſo much that, when the founder of a college inclined to ſubject it to a viſitor of his own appointing, he found it neceſſary to apply for a papal bull exempting it from the juriſdiction of the ordinary of the dioceſe.

The officer next in rank to the chancellor was the rector. The prerogatives of theſe reſpective officers, in different univerſities, were various. As it was the privilege of theſe learned bodies to confer degrees of licentiate, Batchelor and Maſter of Arts, and Doctor in the learned profeſſions; ſo, in ſome univerſities, this power was exerciſed by the chancellor, in others by the rector. In the Scottiſh ones, the rector was the judge-ordinary †, who, with the advice of aſſeſſors, generally choſen from among the profeſſors of theology and law, heard and determined cauſes. An appeal, however, lay from his decrees to the general court of the univerſity, compoſed of all the profeſſors or regents, in which the chancellor preſided; and it would appear, that, from this court, an appeal lay to the King. At the ſame time, if theſe univerſity-courts were exceeding the powers veſted in them by their foundation; or, if one was aſſuming the power of the whole, or rejecting the ſuffrages of a perſon entitled to vote, an action for redreſs before the court of ſeſſion was competent.

The rector was choſen annually by the whole members of the univerſity, ſtudents as well as profeſſors, (at leaſt by ſuch ſtudents as had obtained a degree). As moſt of the univerſities in Europe were founded after the model of that of Paris, ſo the faſhion of the Pa-

* Charter by James I. *ut ſup. Bulla Papae Nicolai* V. in archives of the Univerſity of Glaſgow, A. D. 1450.; Blackſtone's comment. v. 1. p. 482. † Charter by James I. *ut ſup.* ditto, by Biſhop of Glaſgow, 1ſt December 1453.; Old rector's book, p. 83. 120. in archives of Glaſgow.; James VI. parl. 23.; Unprinted acts, No. 71.; Fountainhall, 22d July 1707. 21ſt Dec. 1711. 19th Feb. 1712.; Blackſtone vol. 1, p. 484.

riſians, in chuſing their rector, was obſerved. The conſtituent members of that univerſity were divided into four nations, viz. thoſe of France, Picardy, Normandy, and Germany. Each nation choſe a delegate. The four delegates choſe the rector, and, in caſe of an equality of voices, the former rector decided the preference. Thus, in chuſing their rector, the conſtituent members of the Univerſity of St Andrews were divided into four claſſes or nations, termed the Fifans, Lothians, Albans, and Brittans. But the erection of other univerſities made a new partition of diſtrict neceſſary. Accordingly, the members were divided into the claſſes by which they are ſtill diſtinguiſhed, viz. Fifans, Lothians, Anguſians, and Albans. In the univerſities of Glaſgow and Aberdeen, the members are arranged in a ſimilar manner.

The firſt univerſity founded in Scotland, was that of St Andrews, A. D. 1412. Edinburgh not being erected into an epiſcopal ſee till long after the reformation; and it being unuſual, if not unprecedented, to have univerſities erected any where but in metropolitan cities, was, perhaps, the reaſon why no college was eſtabliſhed at Edinburgh during the times of popery. It was not, however, deſtitute of ſeminaries of learning. James I. perhaps the beſt of the Scottiſh princes, in lieu of an univerſity, eſtabliſhed at Edinburgh a convent of Gray Friars, and prevailed upon the vicar-general of that order to ſend from Cologn ſeveral * learned men, who ſettled in different parts of Scotland, particularly in the convent which bore their name at Edinburgh, where divinity and philoſophy were conſtantly taught till the reformation.

Popery, and the inſtitutions connected with it, whether founded for the propagation of piety and learning, or from charitable motives, fell in one common ruin. The demolition of the edifices gratified the barbarous zeal of the reformers, the deſpoiling of the revenues, their avarice. Accordingly, upon the eſtabliſhment † of the reformation, the citizens made loud complaint of the increaſing number of

* Hope's minor practicks, p. 499.

† Council reg. v. 4. p. 42. 27. Aug. 1562.

of the poor, and the ruinous ſtate of ſchools, and other ſeminaries of learning. To enable the community to provide for their poor, Queen Mary beſtowed upon * them all the houſes belonging to any of the religious foundations in Edinburgh, with the lands and other revenues appertaining to them in any part of the kingdom. This grant was confirmed by James VI. who alſo beſtowed upon them a privilege of erecting ſchools and colleges, for the propagation of ſcience, and of applying the funds beſtowed on them by his mother Queen Mary, towards building houſes for the accommodation of profeſſors and ſtudents †. He further gave full power to every one to give in mortmain-lands, or ſums of money, towards the endowment of theſe ſchools and colleges, giving to the town-council liberty to elect, with advice of the miniſters, profeſſors in the different branches of ſcience, 'with power to place *and remove them as they ſhall 'judge expedient; and to enjoin and forbid all other perſons from teach-'ing*,' &c. within the city, unleſs admitted by the council. This grant, and all the ſubſequent ones made by James VI. in favour of the univerſity, were ratified by parliament ‡; and all immunities and privileges beſtowed upon it, that were enjoyed by any college in the kingdom.

The town-council having got eight thouſand merks ‖ in a § legacy from Robert Reid Biſhop of Orkney, for the purpoſe of founding a college, began to build a college A. D. 1581, a grant to that effect being previouſly obtained.

In the year 1583, the town-council inſtituted Mr Robert Rollock, then a profeſſor in St Salvador's college, St Andrews, profeſſor in the college of Edinburgh, whoſe reputation allured a number of ſtudents to the infant-college **. It was the faſhion of the times, not that the maſters in the univerſity ſhould adhere each to a particular pro-

 feſſion,

* Invent. to the city cart. of Edinburgh, 13th March 1566. † Invent. to city cart. of Edinburgh. ‡ Unprinted acts James VI. parl. 23. No. 49. ‖ About L. 590 Sterling. § Council reg. v. 6. p. 128. 188. 189. ** MS. Hiſtory of the College of Edinburgh, in Advocate's Library.

feſſion, but that the ſame profeſſor who began with giving lectures on humanity to his ſtudents, ſhould proceed with them in the branches of mathematicks and philoſophy, till their courſe was finiſhed, and the ſtudents had received the degree of *Maſter of Arts*. Mr Rollock accordingly began with teaching humanity; but the ſtudents were found unqualified by their ignorance of the language, and, at the recommendation of Rollock, Duncan Nairn was appointed ſecond profeſſor, and the ſtudents were put under his charge to be inſtructed in the principles of the Latin tongue.

In the 1586, Mr Robert Rollock was appointed principal of the college; yet he ſtill continued to teach his claſs, and next year was choſen profeſſor of divinity, which office continued united with that of principal of the univerſity till A. D. 1620. Before he began his courſe of lectures on divinity, Rollock had carried his ſtudents through the uſual branches of academical learning, and forty-eight of them received, at one time, the degree of *Maſter of Arts*, out of whom four were afterwards choſen principals or profeſſors in the univerſity.

About this time it was reſolved to inſtitute two more profeſſors of philoſophy. For this purpoſe placards were publiſhed, inviting men of ſcience to enter the liſts in a public diſputation on philoſophy, in which the victors were to be inſtalled in the new profeſſorſhips. In conſequence of this public invitation, ſix candidates appeared, and after ſolemn diſputation for ten days, Mr Colt of Invereſk, and Mr Scrimzeour of Irvine were preferred, as the moſt deſerving.

James VI. endowed this univerſity with certain church-lands and tithes in the counties of Lothian and Fife. He ſeemed to take pride in conſidering himſelf as its patron, and he ordained it to bear the name of *King James's College*. From * time to time it has received ſundry donations from well diſpoſed people, both for endowing profeſſors and maintaining of burſars; and many additional profeſſorſhips in the various branches of ſcience have been inſtituted.

The

* MS. hiſt. of Univerſity.; Maitland's hiſt. p. 364. 365. 366.

The town-council of Edinburgh are the abſolute patrons and governours of this Univerſity. They not only inſtitute new profeſſorſhips, and elect profeſſors, but can depoſe them alſo, the formality, *but not the juſtice, of their proceedings being liable to review.* An eminent inſtance of this happened A. D. 1626. Mr William Struthers, one of the miniſters of Edinburgh, and moderator of the preſbytery, in cenſuring a probationer, had uſed ſome diſgraceful expreſſions derogatory to philoſophy; among others, terming it the *diſh-clout* to divinity: Mr James Reid, one of the profeſſors, offended at this expreſſion *, introduced the matter at a public graduation, attacked the clergyman's doctrine reſpecting philoſophy, calling it *falſam et rigidam.* The miniſter, provoked at this contradiction, and getting his brethren to join with him, brought a charge againſt Mr Reid before the town-council, with a view to get him depoſed. Mr Reid was well reſpected by the council, and they adviſed him to retire to his houſe in Fife, on pretence of an illneſs which he laboured under, till the rancour of the clergy ſhould abate. He followed their advice; and the miniſters took the opportunity of his abſence, to tamper with the new members, admitted at the enſuing election of the town-council, to his prejudice. He returned to town in October. The miniſters, urging the cauſe warmly againſt him, and he, conceiving the council to have taken ſome ſteps prejudicial to him, while the cauſe was yet in dependence, appealed from them to the privy council. They, again, offended at this diſreſpect to their juriſdiction, inſtantly, upon his appeal, depoſed him from his profeſſorſhip, and elected another in his place, aſſigning no expreſs cauſe for his depoſition, but only '*for reaſons known to the council, and* '*moving them.*' He attempted a reduction of the ſentence, but to no effect; and he obtained a mandate from the court, for reinſtating him; but it was diſregarded. At laſt, tired with the conteſt, he gave in a voluntary reſignation.

The

* MS. hiſt. of College.

The firſt viſitation of the Univerſity of Edinburgh was held A. D. 1614. The town-council appointed ſixteen of their own number, and five of the miniſters of Edinburgh, viſitors, joining with them three advocates, as their aſſeſſors.

There was never, in the Univerſity of Edinburgh, an officer, ſimilar to that of Chancellor in the other learned academies. Indeed, this office, (as it has been exerciſed in Scotland), has been found of ſo little utility, as of late to have been beſtowed by way of compliment by the profeſſors upon ſome nobleman of diſtinction. At the ſame time, as the Biſhop of the dioceſe was officially Chancellor*, the King may ſtill appoint that ſupreme officer to ſuch of the Scots Univerſities as are of popiſh inſtitution. There was, however, in the College of Edinburgh, a rector; but that magiſtrate by no means enjoyed the extenſive juriſdiction annexed to the office in the other Univerſities.

The ſalary of the Principal of the College of Edinburgh was originally very ſmall. In order to provide for him a comfortable living, and, at the ſame time, to make his ſituation the more reſpectable, he was allowed to reap the emoluments of the profeſſorſhip of divinity, and to hold the rank and authority of rector. But, in the year 1620, theſe offices were disjoined. The Principal's ſalary, from about forty guineas, was augmented to ſixty; and Mr Andrew Ramſay was appointed profeſſor of divinity, and rector. He continued in theſe offices till A. D. 1626, when he reſigned them both. For a year they lay vacant, when the town-council reſolved to fill up the office of rector with a perſon *who was not a member of the Univerſity*. They inſtalled in that office Alexander Moriſon, Lord Preſtongrange, one of the judges of the Court of Seſſion. He, accordingly, appeared in council, and before them took the oath *de fideli adminiſtratione*; but it does not appear that he exerciſed the duties of his function.

As

* This accounts for there being no Chancellor of the Univerſity of Edinburgh. It was not an epiſcopal ſee; the Biſhop of the dioceſe was already Chancellor of the Univerſity of St Andrews; there was no body to aſſume the office.

As the town-council had viſited the College annually ſince the year 1614, the rector was the more remiſs in his office. The council now reſolved, that, inſtead of making periodical viſitations of the College, they ſhould annually chuſe a rector, whom they ſhould direct in the duty required of him, and aſcertain the * powers of his office, by articles framed for that purpoſe. Agreeably to this reſolution, in A. D. 1640, they choſe Mr Alexander Henriſon, one of the miniſters of Edinburgh, rector of the Univerſity, ordaining a ſilver mace to be borne before him on all ſolemnities; and appointing certain members of the town-council, miniſters of Edinburgh, and profeſſors in the College, his aſſeſſors. They drew up a ſet of inſtructions, impowering him to ſuperintend all matters reſpecting the College, whether connected with its revenues, fabrick, the education of youth, or the conduct of the *principal*, profeſſors, and other members of the Univerſity, and their conformity to its regulations; with power to the rector to admoniſh offenders, and, in caſe of their obſtinacy, to make report to the council: As alſo, to judge and determine upon trifling diſputes between the members among themſelves. The cuſtody of the matriculation-roll was alſo given to the rector, and the ſtudents ordained to be matriculated in his preſence, and that of the principal, and of the profeſſors of the claſs, to which the reſpective ſtudents belonged. He was alſo to be furniſhed with an inventory of the College revenues, and donations in its favour. At the ſame time, the rents of the College were ordered to be collected by an officer appointed for the purpoſe, who was to be called *the College treaſurer*. For ſome years, we find the rector exerciſing his office. But the troubles which diſtracted the nation, and no regular records of this Univerſity having been kept, render it impoſſible for us to aſcertain when that office was diſcontinued, or how

* We know not why that office, the ſupreme in the Univerſity, has of late been diſcontinued. Nothing can be more certain than the conſtitution of the office, and power of the town-council to ſupply it. For the rector of the Univerſity of Edinburgh is acknowledged among the number of its officers in an expreſs act of parliament; Unprinted acts, James VI. parl. 23. No. 49.

how the College was governed for a conſiderable period. We only diſcover, that Oliver Cromwell, who, although a notorious uſurper, better underſtood, and more ſteadily ſupported, the intereſt and glory of his * country, than moſt of her lawful monarchs, was not unmindful of this Univerſity, but endowed it with an annuity of L. 200 Sterling.

After the reſtoration, the ſtudents at the Univerſity of Edinburgh appear to have been pretty much tainted with the fanatick principles of the covenanters. In the year 1680, when the Duke of York was at Edinburgh, they reſolved to manifeſt their zeal by a ſolemn proceſſion, and burning † a pope on Chriſtmas-day. The magiſtrates having got intelligence of their deſign, and being reſolved to prevent a ceremony calculated to affront the Duke, as well as foment ſedition, ſent a party of ſoldiers to ſtop the proceſſion. They, accordingly, in ſo far interrupted it, that, inſtead of his Holineſs being burned, with all ſolemnity, at the croſs, the ſtudents were fain to burn him poſt-haſte in Blackfriars-wynd; and ſeven of the rioters were apprehended, were committed to cuſtody for a few days, and then liberated. Violent denunciations of revenge againſt the magiſtrates were heard. But it was not ſuppoſed, that theſe young people had been ſo early imbued with that furious zeal, and rancorous malice, which their ſubſequent conduct evinced. Upon the 11th of January following, the houſe of Prieſtfield, the ſeat of Sir James Dick, Lord Provoſt of Edinburgh, (the family being in town), was ſet on fire, and, with all the furniture, burned to the ground. A barrel, half full of conbuſtible materials, was found in a neighbouring park; and ſeveral people depoſed, that, on the night of the conflagration, they ſaw ſome young men with unlighted links in their hands, and a dark lanthorn, going towards the houſe of Prieſtfield; but, notwithſtanding a pardon and reward of 200‡ merks being offered by the privy council to any who would diſcover their aſſociates, the

* Council reg. v. 19. p. 272. † MS. letters in poſſeſſion of Sir Alexander Dick of Prieſtfield; Wodrow's hiſt. v. 2. p. 217. 218. ‡ About L. 110 Sterling.

the actual perpetrators were never detected. The College-gates were ordered to be ſhut, and the ſtudents to withdraw themſelves fifteen miles from the city. But, in ten days, the College-gates were thrown open, and the ſtudents allowed to return, upon their friends becoming caution for their peaceable behaviour.

To repreſs the fanatick principles which were prevailing in it, Charles II. appointed * a viſitation of the Univerſity of Edinburgh, nominating the great officers of ſtate, the Biſhop, Lord Provoſt and Magiſtrates of Edinburgh, and certain others, viſitors, of whom five, together with the Biſhop and Provoſt of Eidnburgh, to be a quorum; ordaining them to inquire into the condition of the College, its revenues, privileges, and fabricks; to examine if the laws of the kingdom, the church-government, and old rules of diſcipline, were obſerved; to preſcribe methods of teaching; to puniſh mutiny and faction; to correſpond with the other Univerſities, that uniformity of diſcipline might be obſerved; and to make a report before the firſt of November 1683. What the viſitors did, in conſequence of their appointment, we are not able to aſcertain.

As that viſitation was appointed with a view towards the ſuppreſſion of fanatick principles; ſo, upon the revolution, a parliamentary viſitation was ordained, of all the Univerſities † in Scotland, with the purpoſe to remove, and to oppreſs, ſuch as continued attached to the hierarchy, or the houſe of Stuart. From ſuch ſpecimens of their conduct in a viſitatorial capacity, as we have been able to diſcover, we are entitled to ſay, that theſe parliamentary viſitors proceeded with great violence and injuſtice.

Proclamation was made, and printed edicts paſted up at the Croſs and College-gates of Edinburgh, and at Stirling, Haddington, &c. &c. charging the principal and profeſſors of the univerſity, and ſchoolmaſters in the city of Edinburgh, and in the neighbouring ſhires, to appear before the committee of viſitors on the 20th of

* Invent. to city cart. of Edinburgh, v. 3. p. 309. 312.

† William and Mary, parl. 1. ſeſſ. 2. chap. 17.

Auguſt enſuing, to anſwer upon the points contained in the act of parliament *: *Alſo, ſummoning and warning* ‘ *all the lieges* † *who* ‘ *have any thing to object againſt the ſaid principal, profeſſors, &c.* ‘ *&c. to appear before the ſaid committee the ſaid day and place, to* ‘ *give in objections*,’ *&c.* After an edict, which beſpoke, that the country, although it had been ſubjected to a revolution, had not acquired a ſyſtem of liberty, nor the rudiments of juſtice; after an invitation, ſo publickly thrown out by the commiſſioners of parliament, in a nation diſtracted by religious and political factions, it is not to be ſuppoſed that *informers* would be wanting.

The committee met at Edinburgh on the day appointed. Sir John Hall, the Lord Provoſt, ſat as preſes. After adjourning his trial for eight days, they brought before them Doctor Alexander Monro Principal of the univerſity, Sir John Hall adreſſing him, bid him anſwer to the different articles of his indictment; and immediately turning to the clerk, commanded him to read them aloud. To the two firſt articles, (one of which was, that he had renounced the proteſtant religion), the Principal anſwered extempore. But, when he found the clerk proceeding with a long roll of he knew not what, he complained of proceedings ſo unjuſt and illegal, deſired to know his accuſers, and be allowed time to prepare his defences. He was, accordingly, furniſhed with a copy of the information againſt him, which he found *had not been ſubſcribed*, and indulged with a few days to give in anſwers to the charge. Having lodged his anſwers, which contained an acknowledgment ‡ of certain immaterial articles laid to his charge, and denial of the reſt, he was aſked by the commiſſioners, If he was willing to take all the teſts, religious and political, lately impoſed by law? To this, having anſwered in the negative, a ſentence of deprivation was paſſed upon him, in which his acknowledgment of certain articles charged againſt him, and his refuſal to embrace the different formulas preſcribed, were blended together, as the grounds of the ſentence.

The

* Preſbyterian Inquiſition, p. 104. 105. † i. e. ſubjects. ‡ Preſbyterian Inquiſition, from p. 22. to p. 47.

The next perſon brought before the commiſſioners was Doctor John Strahan profeſſor of divinity. He, as well as the Principal, was ſerved with an unſubſcribed libel. But the form * and iſſue of the proceedings, the Doctor's refuſing to embrace the formulas, and the ſentence of deprivation paſſed upon him, were ſo conformable to the caſe of Doctor Monro, that it is needleſs to deſcribe the particulars. It does not appear that any other of the profeſſors in the College of Edinburgh were deprived; and the violent proceedings adopted by the commiſſioners at Edinburgh were not imitated by the viſitors of the other Univerſities.

Since the reign of William, that ſeminary of learning has not been diſgraced by conteſts between oppoſite factions. Cheriſhed by the munificence of her Sovereign, and by the faithful care and attention of the magiſtrates of Edinburgh, the Univerſity has been daily becoming a more extenſive academy of learning. New profeſſorſhips have been inſtituted, as men of eminence appeared, qualified to inſtruct youth in the different branches of ſcience; and, in the faculty of medicine, from ſome titular profeſſors without lectures or ſtudents, Edinburgh has riſen to be the firſt medical ſchool in Europe. The number of ſtudents in the different profeſſions, or who are ſtudying philoſophy or languages, annually reſorting to this ſeminary of learning, have of late amounted to a thouſand, of whom, about four hundred are purſuing the ſtudy of medicine.

The office of rector having of late been diſcontinued †, Doctor

* Preſbyterian Inquiſition, from p. 73 to p. 85.

† LIST of the preſent PROFESSORS in the Univerſity of Edinburgh, with their reſpective ſalaries.

FACULTY OF THEOLOGY.

	L.	ſh.	d.
William Robertſon, D. D. Principal of the Univerſity, and primary profeſſor of divinity	111	2	0⅔
Andrew Hunter, D. D. profeſſor of divinity	161	2	0⅔
Robert Cuming *Regius* profeſſor of divinity and church hiſtory	100	0	0

James

William Robertſon, hiſtoriographer to his Majeſty, and miniſter of the Old Gray Friars, Principal, is head of the Univerſity. The different profeſſors are claſſed into four faculties, thoſe of Theology, Law, Medicine, and Arts. There are, the Faculty of

THEOLOGY,

DR WILLIAM ROBERTSON, PRINCIPAL OF THE UNIVERSITY, AND PRIMARY PROFESSOR OF DIVINITY. He teaches no claſs.

	DR L.	ſh.	d.
James Robertſon, D. D. profeſſor of Oriental languages, librarian and ſecretary to the Univerſity	119	12	8

FACULTY OF LAW.

Allan Maconochie advocate, *Regius* profeſſor of the law of nature and nations, upwards of	200	0	0
Robert Dick advocate, profeſſor of civil law	100	0	0
David Hume advocate, profeſſor of Scots law	100	0	0
Alexander Fraſer Tytler advocate, profeſſor of civil hiſtory, and Greek and Roman antiquities	100	0	0

FACULTY OF MEDICINE.

Alexander Monro, M. D. profeſſor of anatomy and chirurgery	50	0	0
William Cullen, M. D. profeſſor of the practice of medicine	0	0	0
Daniel Rutherford, M. D. *Regius* profeſſor of botany	77	15	$6\frac{2}{3}$
* Francis Home, M. D. profeſſor of *materia medica*	0	0	0
Joſeph Black, M. D. profeſſor of chemiſtry	0	0	0
James Gregory, M. D. profeſſor of the theory of medicine, and dean of the faculty of medicine	0	0	0
Alexander Hamilton, M. D. profeſſor of midwifery	0	0	0
John Walker, D. D. *Regius* profeſſor of natural hiſtory	70	0	0

FACULTY OF ARTS.

Dugald Stewart, M. A. profeſſor of moral philoſophy	102	4	$5\frac{1}{3}$
Hugh Blair, D. D. and William Greenfield, M. A. *Regii profeſſores* of rhetorick and belles lettres	70	0	0
Andrew Dalzel, M. A. profeſſor of Greek	52	4	$5\frac{1}{3}$
John Hill, L. L. D. profeſſor of humanity	52	10	0
John Robiſon, M. A. profeſſor of natural philoſophy	52	4	$5\frac{2}{3}$
John Playfair, M. A. profeſſor of mathematics	113	6	8
Mr Robert Blair, profeſſor of practical aſtronomy	100	0	0
John Bruce, M. A. and James Finlayſon, M. A. profeſſors of logick	52	4	$5\frac{1}{3}$

* The ſalary of King's phyſician is divided among thoſe gentlemen who have no ſalaries as profeſſors.

DR ANDREW HUNTER PROFESSOR OF DIVINITY. This gentleman gives lectures every Monday, Tueſday, Wedneſday, and Thurſday, during the ſeſſion. On the Mondays he gives critical diſſertations on the original text of the New Teſtament, taking occaſion to anſwer ſuch objections as are commonly urged by the adverſaries of our faith to revealed religion in general, or the tenets of the church of Scotland in particular. On Tueſday, Wedneſday, and Thurſday, he gives lectures on the ſhort ſyſtem of Divinity compoſed by Profeſſor Pictet of Geneva. Friday is devoted to the delivery of diſcourſes compoſed by the ſtudents, on ſubjects preſcribed to them. As the reſpective diſcourſes are delivered, the Profeſſor deſires the ſtudents, in general, to communicate any obſervations they may have made upon the diſcourſe, at the ſame time calling up three or four of them by name, to deliver their opinions, the Profeſſor either ſuſtaining the juſtice of their remarks, or pointing out their fallacy. There are commonly from a hundred and thirty to a hundred and fifty ſtudents of divinity at this Univerſity.

ROBERT CUMING, *Regius* PROFESSOR OF DIVINITY AND CHURCH HISTORY,

Gives no courſe of lectures.

JAMES ROBERTSON, D. D. PROFESSOR OF HEBREW,

Prelects upon the Hebrew grammar. When his ſtudents are inſtructed in the declenſion of nouns and verbs, he proceeds to read an hiſtorical book of the Old Teſtament, as alſo, to ſelect poetical paſſages in holy writ. In this claſs the Profeſſor gives ſome lectures upon the antiquity, hiſtory, and genius of the Hebrew tongue.

In another claſs, which is intended for thoſe who have been inſtructed in the principles of the language, he reads ſome of the Pſalms, and books of prophecies, taking every opportunity to illuſtrate thoſe paſſages that have a reference to Jewiſh antiquities.

The

The Profeſſor alſo gives lectures on the principles of the Arabick and Perſian languages. This courſe is chiefly calculated for thoſe young gentlemen who are about entering into the ſervice of the Eaſt India Company, and it has been found to be attended with conſiderable benefit.

Faculty of Law.

Mr Allan Maconochie Advocate, Professor of the Law of Nature and Nations.

Mr Maconochie deſtines his courſe for gentlemen who have nearly completed their education at the Univerſity, on the moſt liberal plan. He traces the riſe of political inſtitutions from the natural characters and ſituation of the human ſpecies; follows their progreſs through the rude periods of ſociety; and treats of their hiſtory and merits, as exhibited in the principal nations of ancient and modern times, which he examines ſeparately, claſſing them according to thoſe general cauſes to which he attributes the principal varieties in the forms, genius, and revolutions of governments. In this manner he endeavours to conſtruct the ſcience of the ſpirit of laws on a connected view of what may be called the natural hiſtory of man as a political agent; and he accordingly concludes his courſe with treatting of the general principles of municipal law, political oeconomy, and the law of nations.

Mr Robert Dick Advocate, Professor of Civil Law,

Gives lectures to two claſſes. Thoſe who enter upon the ſtudy, he inſtructs in Juſtinian's Inſtitutes. The text-book upon which he lectures is Heineccius's methodical treatiſe upon the Inſtitutes. To this claſs the Profeſſor generally reads the ſame courſe of lectures twice in the ſeaſon. To his ſecond, or more advanced claſs, he gives commentaries on the Pandects, chooſing for his text-book

Heineccius

Heineccius ad Pandectas; in both courſes paſſing over ſuch parts of the text as reſpect the *uſus hodiernus* of the Germans.

Mr David Hume Advocate, Professor of Scots Law.

The Profeſſorſhip of Scots Law in this Univerſity was not founded till after the beginning of the preſent century. Before that time, it was thought a ſufficient education for the bar, that a young man had been taught the civil law, and was prepared for applying its doctrines to practice, by attending at the chambers of ſome advocate of eminence, or by obſerving the daily deciſions of the ſupreme court. But this mode of gaining knowledge was both imperfect and tedious; and it was particularly unſuitable in thoſe times, when the public were not as yet in poſſeſſion of any elementary treatiſe of the law of Scotland proper for the private peruſal of beginners.

A public profeſſorſhip was accordingly eſtabliſhed, in the year ——, to facilitate the introduction to the ſcience. Mr Erſkine of Carnock, who filled the chair for many years, with much credit to himſelf, and advantage to the public, contributed materially to leſſen the labour of the ſtudy, by the publication of two works, the one a ſhort compend of the Law of Scotland, the other an Inſtitute at large; both of which are accounted very accurate and judicious performances. The former has been uſed by the Profeſſors ſince his time as a text for their prelections. However, the preſent Profeſſor, Mr David Hume, not entirely approving of its arrangement, has laid it aſide, and delivers a courſe of lectures without reference to any text, which may therefore be conſidered as forming, themſelves, a kind of Inſtitute of the Law.

Mr Alexander Fraser Tytler Advocate, Professor of Civil History, and Greek and Roman Antiquities.

This very uſeful branch of education, which teaches the knowledge of men and of manners, had been for ſeveral years neglected in this

this Univerſity. Mr Charles Mackay advocate, formerly gave lectures on the ſcience of Hiſtory, by commenting on the Epitome of Turſelline, a very ſhort chronicle of events from the beginning of the world to the end of the 16th century. Theſe lectures had been diſcontinued for a period of twenty years. The preſent Profeſſor, who has revived this neceſſary branch of education, conſidered the ſcience of Hiſtory in a more enlarged point of view, as the ſchool both of politics and of morality. In his courſe of lectures, he deſcribes the condition of ſociety, and the progreſſive ſtate of mankind from the earlieſt ages of which we have any authentic accounts, to the beginning of the preſent age. Departing from the order of a chronicle, which of neceſſity muſt preſent a confuſed and uninſtructive picture, he delineates ſeparately the origin of the different ſtates and empires, the great outlines of their hiſtory, the revolutions which they have undergone, the cauſes which have contributed to their riſe and grandeur, and operated to their decline and extinction. He beſtows attention, particularly, on the manners of nations, their laws, the nature of their government, their religion, their intellectual improvements, and their progreſs in the arts and ſciences; and he takes care to inculcate to his pupils thoſe important leſſons of morality which the pages of hiſtory furniſh.

Faculty of Medicine.

We have already remarked the deplorable ſtate of the ſcience of medicine * at Edinburgh, in the end of the laſt century; moſt of thoſe who took upon themſelves the title of phyſician, being nothing elſe than quacks and mountebanks; and have alſo given ſome account of the Royal † College of Phyſicians. The firſt medical profeſſors inſtituted at Edinburgh, were Sir Robert Sibbald and Dr Archibald Pitcairn, A. D. 1685. Theſe illuſtrious names, however, in no ways tended to the eſtabliſhment of a medical ſchool. They were

* See book 1. c. 4. † See book 2. c. 4.

were but titular profeſſors. The Royal College of Phyſicians, although poſſeſſed of an excluſive right of *practiſing*, were debarred from *teaching* in Edinburgh; and, for thirty years afterwards, a ſet of lectures on the officinal plants in ſummer; in winter a ſuperficial courſe of chemiſtry; and once in two or three years, the diſſection of a human body by the titular profeſſor of anatomy, completed the extent of medical education at Edinburgh.

The attempt towards having the different branches of phyſic regularly taught at Edinburgh, was firſt begun A. D. 1720. At that time, the father and predeceſſor of the preſent Dr Monro, being inſtituted a profeſſor in the Univerſity, began a courſe of lectures on anatomy and ſurgery: As did Dr Alſton, at the ſame time, on *materia medica* and botany. Soon afterwards, Dr Rutherford was appointed to prelect on the practice of medicine. Doctors Sinclair and Plummer were alſo choſen to teach the theory of medicine and chemiſtry. The inſtitution of the Infirmary gave the ſtudents an opportunity of hearing a ſet of clinical lectures, and the abilities of the profeſſors in the various branches of this ſcience, have been conſtantly augmenting the reputation of the Univerſity as a ſchool for medicine.

The medical claſſes are opened on the laſt Wedneſday of November, and from that time till the beginning of May, five lectures are given by each profeſſor weekly, Chriſtmas week excepted.

The profeſſors in this Faculty are,

ALEXANDER MONRO, M. D. PROFESSOR OF ANATOMY AND SURGERY.

Both theſe branches are taught by this Profeſſor, in one continued courſe of lectures and demonſtrations. In each, he illuſtrates his doctrines not only by diſſections, but alſo by a great variety of anatomical preparations, and by parts of morbid bodies preſerved, which he and his father have been collecting at great pains and expence, for more than half a century. The whole of theſe preparations Dr

Monro (we are aſſured) has bequeathed to the Univerſity in the event of his death; a circumſtance we mention the more readily, as it may induce practitioners in the medical art to ſend him ſuch things as may, with propriety, be added to his collection, the only public repoſitory of the kind in Scotland.

William Cullen, M. D. Professor of the Practice of Medicine,

In his lectures on the practice of phyſic, treats of the particular diſeaſes to which the human body is liable, deſcribing their ſymptoms in ſuch a manner, as critically to diſtinguiſh them from each other. He alſo gives an account of the remote, and attempts to aſcertain the proximate cauſes of diſeaſes. Founded upon the latter, the Profeſſor delivers the method of cure peculiar to himſelf, at the ſame time taking care to inform his pupils of whatever the experience of paſt ages, or of the preſent times, has offered to the purpoſe of curing diſeaſes.

Daniel Rutherford, M. D. *Regius* Professor of Botany.

The lectures on botany are delivered in the Botanick Garden during the ſummer ſeaſon, viz. in the months of May, June, and July. The courſe begins with a ſhort hiſtory of botany and botanical authors. This is followed by an account of the general ſtructure and conformation of the various parts of vegetables; after which, is given the foundation of botanical arrangement, as an introduction to the explication of the Linnæan or ſexual ſyſtem. This ſyſtem is illuſtrated by ſhort hiſtories of the various plants comprehended under the different claſſes, particularly of ſuch as are of moſt uſe in medicine and the arts, and of the exotick plants preſerved in the Garden; at the ſame time, the different natural orders that may happen to fall within theſe claſſes, are particularly noted and characterized.

racterized. The courſe concludes with the general facts and doctrines reſpecting vegetation.

FRANCIS HOME, M. D. PROFESSOR OF *Materia Medica*,

Teaches that part of practical medicine commonly called *Materia Medica*. It comprehends the remedies made uſe of in the cure of diſeaſes, and their general effects on the human body. The effects of alimentary ſubſtances in health and diſeaſe, make the firſt part of this courſe. The ſecond comprehends the hiſtory, effects, and modes of operation, not only of ſimple medicines, but of every ſort of ſimple remedy, application, or aſſiſtance, uſed by phyſicians in reſtoring health. The third part, called Pharmacy, treats of prepared and compounded medicines.

JOSEPH BLACK, M. D. PROFESSOR OF CHEMISTRY.

The lectures on chemiſtry, delivered by Dr Black, comprehend an enlarged view of this ſcience, conſidered as a part of natural philoſophy, explaining many of the moſt extenſive operations and curious phenomena of nature. They alſo diſplay a particular hiſtory of the objects of chemiſtry, their various qualities, and the changes they are made to undergo, to adapt them to the uſe of arts, particularly of pharmacy. The whole is illuſtrated with a great number of experiments and proceſſes.

JAMES GREGORY, M. D. PROFESSOR OF THE INSTITUTIONS OF MEDICINE, OR THEORY OF PHYSIC,

The ſon of the late Dr John Gregory profeſſor of the practice of medicine in this Univerſity, teaches in one courſe, intended as a general view of the ſcience of medicine, and, in particular, as a preliminary to the practice of it, the phyſiology, pathology, and therapeia; the firſt comprehending the doctrine of life and health; the ſecond, the general doctrine of the nature, cauſes, and effects of diſeaſe; the third giving an account of the nature, effects, and mode of operation of remedies.

ALEXANDER HAMILTON, M. D. PROFESSOR OF MIDWIFERY.

This profeſſorſhip was inſtituted by the town-council of Edinburgh, A. D. 1756 *. Dr Hamilton gives three courſes in the year, each of which laſt about three months. They comprehend not only the practical part of midwifery, but the ſeveral diſeaſes peculiar to women; likewiſe the management of new-born children, and the diſeaſes to which they are ſubject.

To render this branch of education ſtill more complete, the ſtudents have acceſs, under certain regulations, to the lying-in ward, which was fitted up at the expence of the late Dr Young, in the Royal Infirmary; and there they have frequent opportunities of practiſing midwifery.

JOHN WALKER, D.D. *Regius* PROFESSOR OF NATURAL HISTORY.

The Profeſſorſhip of Natural Hiſtory, in the Univerſity of Edinburgh, was inſtituted, by the crown, in 1767; and the late Dr Robert Ramſay was appointed Profeſſor of that ſcience, and keeper of the

* Beſides theſe various claſſes, there are ſome private ſchools for medicine at Edinburgh. Dr Aiken gives lectures on medicine, anatomy, and midwifery, and Mr James Ruſſel on clinical caſes in ſurgery. Two claſſes of medicine are alſo taught by Dr Duncan. In the one, he gives a comprehenſive view of the theory and practice of medicine. This courſe is chiefly calculated for affording to thoſe who are entering upon the ſtudy of this ſcience, an introduction to ſubjects afterwards to be conſidered on a more extenſive ſcale; and for preſenting to thoſe who have already heard lectures on theſe branches of medicine, the various opinions and views concerning many doubtful, yet important queſtions, which are entertained by different teachers. In the other claſs, Dr Duncan preleſts upon the caſes of the patients admitted to the benefit of the Diſpenſary, (*ſee infra*, article Diſpenſary), explaining the nature of their diſeaſes, preſcribing towards their cure, and unfolding the reaſons for the different preſcriptions, ſimilar to what is done in the clinical lectures given in the Royal Infirmary. As no branch of medical education is better calculated for conveying uſeful inſtructions to ſtudents, than proper remarks on diſeaſes, as they occur in practice; and, as the benefits of this charity are confined to ſuch patients whoſe particular chronical diſeaſes make it improper for them to be admitted into an hoſpital, this inſtitution muſt be of conſiderable utility. Of this the numerous ſtudents attending the claſs afford additional evidence. For the accommodation of his ſtudents, the Doctor has built a commodious teaching-room in the neighbourhood of Surgeons Hall.

the muſaeum, or repoſitory of Natural curioſities, with a ſalary of L. 70 *per annum*. At his death Dr Walker ſucceeded to the chair; and, in the year 1782, read the firſt courſe of Natural Hiſtory that had been given here; in which he took a more complete and ſyſtematic view of his ſubject than had ever been beſtowed on it, conſidered as a diſtinct ſcience. He divides his courſe into ſix great branches: 1. Meteorology. 2. Hydrography. 3. Geology. 4. Mineralogy. 5. Botany. And, 6. Zoology. In the three firſt the Doctor has revived the triple diviſion of Hippocrates, in his book *De Aere, Aquis, et Locis*; the three laſt include what is called the *Imperium Naturae*. On the head of Meteorology, the Doctor treats on the natural hiſtory of the atmoſphere, of its gravity and temperature; the production of ice, ſnow, hail, rain, dew, fogs, &c.; the theory of winds, of meteors, of the ſeaſons. Under Hydrography, or the natural hiſtory of the waters of the globe, he conſiders the phenomena of the ocean, its tides, its ſaltneſs, &c.; the origin of ſprings, of rivers, lakes, &c. Under the head of Geology he treats of the natural hiſtory of the earth in general, its mountains, continents, and iſlands, its inequalities and ſtrata; the phenomena of volcanoes, earthquakes, &c.; with obſervations on the various theories of the earth. The Doctor illuſtrates his lectures on the ſubject of Mineralogy by an exhibition of the mineral ſubſtances themſelves from his own muſaeum, which contains the moſt numerous collection of foſſils that ever was made in this country. On Botany, the Profeſſor confines himſelf to a philoſophical hiſtory of vegetation and its phenomena. On the ſixth and laſt branch, Zoology, he adopts the arrangement of Linnaeus, and uſes the *Syſtema Naturae* of that author as a text book. Each diviſion of his ſubject is introduced by its particular hiſtory, and an account of the various ſyſtems that have been fabricated by authors.

When Doctor Walker was appointed Profeſſor, and keeper of the muſaeum, he applied himſelf inſtantly to reſcue from utter ruin the venerable remains of the famous collection of natural bodies made

by

by Sir Andrew Balfour and Sir Robert Sibbald, which, about the beginning of this century, had been beſtowed on the college, but which had afterwards been ſhamefully dilapidated. By his means many very valuable acquiſitions and donations have been lately made to the Edinburgh muſaeum. A catalogue of theſe is now kept; each individual body is accurately inveſtigated, and a label affixed to it with its name. This is a labour which would have been undertaken, and could have been accompliſhed by no perſon of induſtry or enthuſiaſm inferior to his. Nothing now prevents this muſaeum from making as reſpectable a figure as many in Europe, except a proper place for its reception, which the old and narrow precincts of the preſent College do not afford.

Clinical Lectures.

Beſides theſe branches of medical education, clinical lectures on the caſes of patients in the Royal Infirmary, are given by Dr Home and Dr Gregory. The intention of this courſe is to ſhow the ſtudents the application of the doctrines they have been learning to particular caſes, to point out the varieties and particularities which occur in real practice, and to familiariſe ſtudents to the ſight and management of patients. The ſtudents alſo attend the ordinary phyſicians to the Hoſpital, to ſee, and to learn their practice. But, with the clinical Profeſſors, they both ſee the practice, and have the reaſon of it explained; and thoſe circumſtances pointed out which deſerve attention in the nature and progreſs of diſeaſes. The clinical profeſſors are allowed to chooſe, from among all the patients, thoſe whom they think the moſt proper ſubjects for lectures. Two wards are aſſigned for their reception; one for the men, another for the women.

Faculty of Arts.

John Hill, L. L. D. Professor of Humanity,

Teaches two claſſes. The firſt is attended by young gentlemen juſt come from the grammar-ſchool. The Profeſſor pays much attention

tention to the rules of ſyntax and parts of ſpeech, thereby attempting to remedy ſuch radical defects as ſometimes ariſe from inattention, even in thoſe ſtudents who had before been taught by the beſt maſters. Parts of Cicero, Livy, Virgil, Terence, and Horace, are generally read in this claſs. Frequent exerciſes are preſcribed to the pupils, in the way of turning Engliſh into Latin, and Latin into Engliſh; and the ſtudents are regularly examined, as often as the numbers that attend the claſs will permit.

In the ſecond claſs, which generally conſiſts of thoſe who have attended the firſt, prelections are read upon the darkeſt and moſt philoſophical parts in Horace and Juvenal, as well as upon authors who are rarely, if at all, read at ſchools: Beſides theſe, three lectures are read in the week. In one part of them, a character is given of the Latin claſſicks, and an explanation of the principles of their compoſition. In another, a ſhort hiſtory of the Latin tongue, and the changes it has undergone. In the laſt, is delivered a compendious ſyſtem of Roman antiquities. Topicks choſen from theſe various branches are aſſigned to the ſtudents as the ſubjects of eſſays, which, after they have compoſed, they muſt deliver in publick.

Andrew Dalzel, M. A. Professor of Greek,

Alſo teaches two claſſes, and meets with each of them two hours in the day. In the firſt claſs, the elements of the Greek language are grammatically taught. A part of the New Teſtament, of Xenophon, or of Lucian, together with ſome of the odes of Anacreon, and a book of the Iliad, are read and explained. Upon all theſe the ſtudents are minutely examined, and the principles of general, as well as particular grammar, conſtantly inculcated.

In the ſecond claſs, ſome part of the works of Herodotus, Thucydides, Demoſthenes, or ſome other proſe authors, are read, and grammatically and critically explained; ſo likewiſe are ſeveral books of the Iliad or Odyſſey; of the Idyllia of Theocritus, or a tragedy of Sophocles or Euripides. As this claſs is attended by many ſtudents

dents for three years, thoſe who are in the firſt year of their attendance are arranged apart from the more advanced ſtudents, and examined upon eaſier authors. Thoſe who attend it for two courſes are admitted to the third *gratis*. Beſides explaining the Greek authors, Mr Dalzel gives lectures, at leaſt twice a-week, on the hiſtory, government, manners, the poetry, and eloquence, of the ancient Greeks. Exerciſes on theſe ſubjects are preſcribed to the advanced ſtudents; and diſcourſes delivered by them in preſence of the Principal, and other Profeſſors.

JOHN BRUCE, M. A. AND JAMES FINLAYSON, M. A. PROFESSORS OF THE FIRST PHILOSOPHY, OR LOGICK CLASS.

This Profeſſorſhip was inſtituted A. D. 1586. It was called '*the* '*Philoſophy, or Logick Claſs*,' a title which, in the diplomas of the Univerſity, it ſtill retains.

Logic, which has for its object to teach the beſt method of inveſtigating and communicating truth, is, in this courſe, as taught by Mr Finlayſon, divided into four great branches.

1. The firſt is an inquiry into the human underſtanding, and contains an analyſis of the different faculties employed in the ſearch of truth, with a view of the errors to which each of them is expoſed, and of the means by which it may be improved.

2. The ſecond is a deſcription of the objects towards which our intellectual powers are directed. Under this head, the principles of claſſification are explained; and an account is given of the moſt celebrated ſyſtems of arrangement that have hitherto been made. To this account is ſubjoined a general diviſion of the ſciences; with ſome obſervations on the turn of mind ſuited to the ſtudy of each, and on the means by which that turn may be diſcovered.

3. The third is an inquiry into the beſt mode of applying the faculties of the underſtanding to the objects of nature, for the purpoſe of diſcovering truth. This is perhaps the moſt important part of the courſe; and in it are explained, 1. The nature of truth, and of the

the evidence by which it is eſtabliſhed; 2. The means by which we are enabled to obtain that evidence in the different ſubjects of nature; and, 3dly, The ſources of error, and the means by which it may be avoided.

4. When truth has been diſcovered, the fourth branch of the courſe teaches the moſt proper method of communicating it to others with perſpicuity and preciſion. This part ſuggeſts a train of obſervations on the origin and progreſs of language; on the principles of univerſal grammar; and on the rules according to which a converſation, a debate, or a continued diſcourſe, ſhould be conducted, for the purpoſe of imparting knowledge and conviction.

To this courſe is prefixed a ſhort hiſtory of philoſophy. At a ſeparate hour, the ſtudents are examined on the different ſubjects that have been diſcuſſed; and exerciſes are frequently appointed, to form them to habits of compoſition.

HUGH BLAIR, D. D. AND WILLIAM GREENFIELD, M. A. *Regii Profeſſores* OF RHETORICK AND BELLES LETTRES.

Mr Greenfield, who is now joined with Dr Blair in this profeſſorſhip, delivers a courſe of lectures on polite literature and eloquence, according to the following plan:

The courſe conſiſts of two diviſions, in the firſt of which are conſidered the general principles; and, in the ſecond, the application of theſe principles to the different ſpecies of compoſition and public ſpeaking.

Under the firſt diviſion, he conſiders all the great ends of compoſition or publick ſpeaking, as reducible to three; emotion, inſtruction, and perſuaſion. Accordingly, he firſt treats of the various emotions, and points out ſuch general obſervations as are ſuggeſted by the practice of authors, and the precepts of critical writers, both with regard to the moſt effectual means of raiſing them, and alſo with regard to the uſes to which they may be applied. At the concluſion of this part of the courſe, he examines the queſtions concern-

ing the nature, the improvement, the decline, and the ſtandard of taſte. The moſt effectual and agreeable methods of conveying inſtruction, are the next ſubject, under which he comprehends both information and conviction, and treats of the uſe of the emotions in didactic compoſitions. He then proceeds to conſider perſuaſion, which conſiſts in the proper application of the means of convincing the underſtanding, and exerciſing the emotions.

Theſe ſubjects are treated of in the order which has been mentioned, independently of the conſideration of language. But as language is the great inſtrument employed by the author and publick ſpeaker for accompliſhing their ends, this ſubject is next examined under the heads of purity, perſpicuity, harmony, elegance, and animation. The conſideration of delivery is reſerved for that part of the ſecond diviſion which treats of the different kinds of public ſpeaking.

The ſecond diviſion conſiſts of an application of the general principles, in a critical review of the moſt remarkable ſpecies of compoſition, and of ſeveral of the moſt approved authors in each ſpecies. In this part of the courſe, Mr Greenfield treats of poetry, dramatick compoſition, publick ſpeaking, and the different branches of polite literature.

Dugald Stewart, M. A. Professor of Moral Philosophy.

The preſent Profeſſor gives a courſe of lectures on moral philoſophy, following chiefly the arrangement of Dr Ferguſon's inſtitutes of that ſcience.

John Playfair, M. A. Professor of Mathematicks,

Gives three mathematical courſes every ſeaſon, to different claſſes of ſtudents. In one of theſe are taught the firſt ſix books of Euclid's Elements, the principal propoſitions of the eleventh and twelfth; and the elements of plain trigonometry, and of practical geometry.

In

In another courſe, the elements of algebra, of ſpherical trigonometry, and of conick ſections, are explained. The third courſe treats of the doctrine of fluxions, with the application of it to the more difficult problems of pure and mixt mathematicks.

JOHN ROBISON, M. A. PROFESSOR OF NATURAL PHILOSOPHY.

This gentleman's reputation in the ſcience which he is appointed to teach, procured him the eſtabliſhment of Profeſſor of Natural Philoſophy in the Marine Academy at Cronſtadt, whence he was invited to teach the ſame branch in the Univerſity of Edinburgh.

Mr Robiſon confines his lectures to what may be called Mechanical Philoſophy, conſidering thoſe appearances only which are exhibited in the *ſenſible* motions, and actions of the *ſenſible* maſſes of matter. The appearances in aſtronomy, vulgar mechanicks, hydroſtaticks, pneumaticks, magnetiſm, electricity, and opticks, exhauſt it. In this courſe, Mr Robiſon aſſumes the mathematical propoſitions as demonſtrated, and contents himſelf with ſuch a popular explanation of them, as will enable his hearers to ſee at leaſt the probability of the doctrines; and he illuſtrates them by a courſe of experiments properly adapted. This he is able to render very ample, by the addition of about L. 400 worth of inſtruments, lately made by the town-council of Edinburgh to his apparatus, which is now the moſt compleat of its kind in the kingdom. In this courſe of lectures, the Profeſſor pays very particular attention to the application of this ſcience to the arts of life, with a view to the inſtruction of engineers and artizans.

Having compleated the regular courſe, he gives, by way of ſupplement, an account of the attempts which have been made to explain, by analogy with the laws of mechaniſm, the internal conſtitution of bodies, with reſpect to ſolidity, fluidity, elaſticity, &c. deducing from the beſt eſtabliſhed principles the maxims which ſhould be followed by the engineer. In like manner, he gives an account

of the attempts toward a mechanical explanation of the appearances in chemical mixtures, and in the vegetable and animal oeconomy.

For the benefit of thoſe who wiſh to acquire a knowledge of natural philoſophy, which they may apply with confidence to the arts of life, Mr Robiſon gives another courſe of lectures. In this, the leading mathematical propoſitions, aſſumed in the popular lectures, are diſcuſſed with great accuracy; and his hearers are enabled to peruſe, with advantage, the writings of thoſe eminent mechanical philoſophers, who, ſince the time of Newton, have been daily enriching the ſcience with new diſcoveries.

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The Univerſity of Edinburgh * is not inattentive in the mode of conferring degrees, thoſe paſſports of learning, which, in former times, were ſo highly eſteemed. The degrees ſhe beſtows are thoſe of Doctor of Divinity, or of Law; Maſter of Arts, or Doctor of Medicine. Of theſe, the two firſt are honorary, and are generally conferred on men of known learning and abilities, who apply for any of them. The two laſt are not conferred till the candidates have undergone a ſtrict examination, publick and private.

The Faculty of Arts had, for many years, neglected their regular meetings; their degrees, conſequently, were granted as a matter of form, and hence fell neceſſarily into diſreſpect. Of late, however, the Faculty have formed the beſt regulations for reviving the credit of their degrees, and rendering them a teſt of academical merit.

It is neceſſary that the candidate for this honour be a ſtudent in the Univerſity; if a native, of three, if a foreigner, of two years ſtanding. He muſt undergo, firſt, a private examination before the Dean and Faculty of Arts, on the branches of literature and philoſophy

* The wretchedneſs of the buildings in the College of Edinburgh, their inſufficiency for the purpoſes to which they are applied, and a mode of remedying theſe defects, have already been mentioned, B. 2. c. 4.

ſophy taught by them. He muſt afterwards recite and defend before the *Senatus Academicus*, a theſis upon any of the ſubjects taught by the faculty. This degree is ſometimes conferred upon ſtrangers. In this caſe it muſt be certified to the faculty, that the candidate has attended ſome univerſity at leaſt two years, and that he is a perſon diſtinguiſhed by a literary character.

The medical degree of this univerſity is not beſtowed of courſe on thoſe who, for a certain time, have attended the colleges; but is only given to thoſe who, upon ſtrict and impartial trial, appear to have made ſufficient progreſs in the ſtudy of medicine. None can be admitted to trial, unleſs they have employed three years in the ſtudy of medicine, in this, or ſome other univerſity where that ſcience is regularly taught, and one of theſe years muſt have been ſpent at that of Edinburgh: Nor can they be received, unleſs they have applied to the ſtudy of every branch of medicine, under their reſpective profeſſors, viz. thoſe of anatomy, botany, chymiſtry, *materia medica*, theory and practice of phyſick, and the clinical lectures.

The firſt trial undergone by the candidate, for a degree in medicine, is only known to the medical profeſſors, and the candidate himſelf. It is kept ſecret, that the ſtudent may ſuffer no injury in character or fortune, if it ſhould be found neceſſary to remit him to his ſtudies. On this account, the firſt examination is held in the houſe of one of the profeſſors, at a private meeting of the faculty of medicine. All the others are in the college.

The private examination, and the firſt examination in the college, are on general ſubjects in medicine. If the ſtudent acquits himſelf to the ſatisfaction of the profeſſors, they give him an aphoriſm of Hippocrates, and a queſtion on ſome branch of medicine, to be by him commented upon in writing, and explained. He is again examined on theſe ſubjects; and, if approven of, receives two hiſtories of patients caſes, on which he has to give a written opinion, explaining the nature of the diſeaſes, and the mode of cure. On theſe

alſo,

alſo, he is examined by the profeſſors who ſtated them, and then obtains permiſſion to publiſh his theſis, on which he is publickly examined by the medical profeſſors. He then, by authority of the univerſity, is promoted to the degree of Doctor of Medicine.

It is proper that we take notice of certain inſtitutions connected with the univerſity, and founded for the advancement of ſcience. Theſe are, the College Library, the Obſervatory, and the Botanical Garden.

Of the College Library.

The college library is an earlier inſtitution, by one year, than the univerſity itſelf. It was founded by Mr Clement Little advocate, A. D. 1580, and by him bequeathed to the town-council for the uſe of the citizens. The council ordered a houſe to be built for it in the * neighbourhood of St Giles's church, where it was kept under the care of the eldeſt miniſter of Edinburgh; but, upon the erection of the College, it was removed thither. It has ſince been improved by ſeveral donations, but the collection is more numerous than valuable. Beſides that, by the ſtatute for the encouragement of authors, a copy of every book entered in Stationers-hall, muſt be given to this library, the only funds which it has for improvement of the collection, are the money paid by all the ſtudents at the univerſity, (thoſe of divinity excepted), upon their being matriculated; and a ſum of L. 5 given by each profeſſor at his admiſſion. The dues of matriculation are half a crown; but individuals, at their pleaſure, pay from that to a guinea. What ſum ariſes thence annually to the library, we have not been informed.

The books are lent out to the ſtudents, upon their conſigning the value in the hands of the librarian. In the library are hung many pictures of the reformers, the moſt wretched portraits we ever ſaw.

Of

* Council reg. v. 6. p. 66, 81. 82.

Of the Observatory.

The deſign of an obſervatory, for making aſtronomical obſervations, has been long formed in the city of Edinburgh; and, by a ſucceſſion of unfortunate accidents, has not hitherto been carried into compleat execution. The ſcheme for one had been almoſt fixed in the year 1736, when the diſtreſs in which the city was involved, in conſequence of the Porteous mob, called the attention of the magiſtrates to matters more deeply intereſting. Some years afterwards, the Earl of Morton, Lord Regiſter of Scotland, gave L. 100 towards the building of an Obſervatory; and he appointed the celebrated Mr Maclaurin profeſſor of mathematicks, with the Principal and certain profeſſors of the univerſity, truſtees for managing this ſum, and carrying the work into execution. Mr Maclaurin, intent upon accompliſhing the deſign, read a courſe of lectures on experimental philoſophy, the money ariſing from which he appropriated for that purpoſe. Theſe ſums amounting to about L. 300, a draught of an obſervatory was made out; application was made by Mr Maclaurin to the magiſtrates, and a grant obtained of part of the ſouth-row of buildings, in the upper court of the College, which were to be pulled down, and the Obſervatory erected on their ſite; but Mr Maclaurin dying, the deſign was laid aſide.

The money which had been collected for that purpoſe, was put in the hands of two perſons, both of whom unfortunately became bankrupt. However, a conſiderable dividend was obtained out of their effects, in ſo much that, for principal and intereſt, a ſum was recovered, about two years ago, of nearly L. 400.

In the year 1776, Mr Short, brother and executor to Mr James Short, the celebrated optician, and F. R. S. came to Edinburgh, and brought along with him all his brother's optical inſtruments and apparatus, particularly his large reflecting teleſcope. Mr Short intended to erect an obſervatory, which was to be his private property, and he

was

was to draw the emoluments ariſing from viſitors who came to indulge their curioſity, or make their obſervations. Dr Alexander Monro, profeſſor of anatomy, one of the truſtees pointed out in the Earl of Morton's deſtination, conceiving that an obſervatory, erected on this footing, unconnected with the town-council and univerſity, would be little conducive to the purpoſes of ſcience, and would be difficult of acceſs to the ſtudents at the univerſity, ſent for Mr Short, and propoſed to give him the funds in their diſpoſal, for the purpoſe of building an obſervatory; and to allow him to draw the whole emoluments ariſing from the uſe of his apparatus, for a certain ſeries of years: But on condition, that the ſtudents ſhould, in the mean time, have acceſs to the obſervatory for a ſmall gratuity; and that the building, with all the inſtruments, ſhould be veſted in the town-council for ever, as truſtees for the publick, and become their abſolute property, after the lapſe of a certain period. Mr Short readily agreed, and the town-council were applied to for their concurrence and patronage.

Upon this application, the council granted to Mr Short, his ſons, and grandſons allenarly *, a liferent-leaſe of half an acre of ground on the Calton-hill, upon the conditions, and for the purpoſes already ſpecified; and, for the more effectually carrying it into execution, they, at the ſame time, ſet on foot a ſubſcription for defraying the expence.

A plan of the intended building was made out by Mr Craig architect, and the foundation-ſtone was laid by James Stodart, Eſq; then Lord Provoſt of Edinburgh, accompanied by the magiſtrates, and the Principal, and profeſſors of the univerſity, on the 25th of July 1776. About this time, Mr Robert Adam architect, happened to come to Edinburgh. Upon ſeeing the intended obſervatory, founded upon the top of an high and abrupt hill, which terminates in a precipice, he conceived the idea of giving the whole the appearance of a fortification, to which it was excellently adapted. Accordingly

* Council reg. May 22. July 10. 1776.

ly the line was chalked out for incloſing the limits of the obſervatory, with a wall conſtructed with buttreſſes and embraſures, and having Gothick towers at the angles. The beauty of the deſign was ſo much admired, that the main object was forgot. The workmen left the obſervatory, already half built, and turned themſelves to raiſe the tower on the ſouth-weſt brow of the hill. This was greatly promoted by Mr Short, who, in the tower, ſaw an excellent accommodation for himſelf and family. Upon this building was exhauſted all the money deſtined for the obſervatory; and beſides, a conſiderable arrear was incurred to the tradeſmen. To diſcharge this, the Duke of Hamilton having gained, at Leith races, in July 1777, his Majeſty's purſe of a hundred guineas, generouſly beſtowed it for that purpoſe. Still, however, this ſum of a hundred guineas was only applied to diſcharge arrears already incurred; the building was not advanced an inch. The magiſtrates have not hitherto given a farthing towards compleating a work, which was not only to be of benefit to the univerſity, but the means of ſecuring a property veſted in them as truſtees for the publick. They have not ſubſcribed themſelves, nor of late encouraged the ſubſcription in others; notwithſtanding the profeſſor of natural philoſophy has generouſly offered to read a courſe of lectures on experimental philoſophy, and to apply the profits of the claſs towards finiſhing the obſervatory. Thus an optical inſtrument, perhaps the fineſt in the world, is loſt for want of a proper place to kept it in; and the obſervatory ſtands a half-finiſhed work upon the higheſt hill of Edinburgh, ſpeaking this emphatick language to the eye of every beholder: 'Here is a building, which the folly of its contrivers led them to 'begin, without conſidering, that, by their poverty, they were un-'able to finiſh it.'

OF THE BOTANICAL GARDEN.

The botanical garden is generally viſited by ſtrangers, and conſidered as one of the ornaments of the city of Edinburgh. The flower

garden belonging to the palace of Holyrood-houſe, and the ſmall incloſure immediately to the eaſt of the new bridge, were formerly uſed as botanick gardens: But theſe, from ſoil, ſituation, and other circumſtances, being unfit for the purpoſe, Profeſſor Hope repreſented to the Lords of the Treaſury, that it would be much for the intereſt of the country in general, and of the city of Edinburgh in particular, that a garden of proper extent and ſoil ſhould be made. His Majeſty thereupon was graciouſly pleaſed to grant the ſum of L. 1330 : 1 : 2½ for making it, and for its annual ſupport the ſum of L. 69 : 3 : 0. At the ſame time, the magiſtrates and town-council of Edinburgh granted the ſum of L. 25 annually, for paying the rent of the ground.

Theſe funds, for the ſupport of the garden, being found inſufficient, and ſome improvements being neceſſary, application was lately made to the Lords of the Treaſury; and thereupon his Majeſty was pleaſed to grant a ſum of money for making the requiſite improvements, and an addition of L. 50 annually for defraying the expence.

The Botanick Garden, conſiſting of five acres Engliſh meaſure, is ſituated on the weſt ſide of the foot-walk to Leith. The ſoil, in general, is light, either ſandy or gravelly. In the centre of the garden, a ſpring of water is formed into a baſon. Although it is not above twelve years ſince it was applied to botanical purpoſes, it is now richly ſtocked; and the trees are ſo far advanced, as to afford good ſhelter to the ſmall and tender plants *.

In the eaſt diviſion of the garden, there is a large area, called the School of Botany, where the plants are ſyſtematically arranged. On each ſide of this area are placed the officinal plants, ſhrubs, and trees, according to their ſizes. This diviſion contains about 2000 ſpecies of plants.

The

* This rapid progreſs of the garden, was much owing to the ſkill and diligence of John Williamſon the principal gardener. Some willow trees, from ſmall cuttings, planted eleven years ago, are 32 feet high, and at one foot above the ſurface, meaſure 33 inches in circumference.

The weſt diviſion of the garden, of which the conſervatories and baſon of water, form the centre, is planted in an agreeably irregular manner, where the chief ſtudy has been to protect the tender plants, by a proper arrangement of hardy trees; and ſo to place thoſe, that at leaſt one of every ſpecies may be ſeen, in the courſe of the ſerpentine walk around this diviſion, which is called the *Sylva Botanica*, and contains a great number of plants.

The conſervatories, form a front of 140 feet, and conſiſt of a greenhouſe in the centre, and a hot-houſe at each end, connected with the green-houſe, by a room of paſſage; yet they are already inſufficient to contain the collection of exotick plants received from all quarters.

Of theſe, the following, among others, merit attention:

Alſtroemeria.

Colinſonia Didyma, unknown to Linnaeus.

Illicium aniſatum, a moſt beautiful aromatick evergreen from Florida.

Muſa ſapientum, the Banana, which laſt year produced ripe fruit.

The tea-tree, which was in full flower laſt ſummer, and a number of Abyſſinian plants, the ſeeds of which Mr Bruce of Kinnaird gave to the profeſſor. Among theſe is the plant which cured him of the dyſentery.

The Caira, from the Eaſt-Indies, a ſpecies of Mimoſa, unknown to Linnaeus and the European gardens. The extract from the wood of this plant, is the terra japonica of the ſhops; an account of the preparation of which, was ſent along with the ſeed by Mr James Ker ſurgeon at Dacea, Bengal.

And *laſtly*, *the Moving Plant*, the ſeeds of which were alſo ſent by Mr Ker, with the following account of this wonderful vegetable:

'It is there called *Burrum Chundalli*. It grows about four feet 'high, and in autumn produces bunches of yellow flowers, reſem-'bling the French honey-ſuckle. The root is annual or biennial. 'Like many of the pea tribe, it is trifolious; the lateral leafs are

'ſmaller than thoſe at the end; and all day long are in conſtant mo-
'tion, without any external impulſe. They move up or down, and
'circularly; this laſt motion is performed by the twiſting of their
'foot ſtalks. While one leaf is riſing, its aſſociate is generally de-
'ſcending. The motion downwards is quicker, and more irregular
'than the motion upwards, which is ſteady and uniform. Theſe
'motions are obſervable for 24 hours, in a branch that is loped off
'from the ſhrub, if it has been kept in water. If from any obſtacle
'the motion is retarded, upon the removal of that obſtacle, the mo-
'tion is reſumed with a greater degree * of velocity.'

In A. D. 1778, a monument was erected in this garden, in memory of Linnaeus. It is a vaſe ſupported on a pedeſtal, with this inſcription: 'Linnaeo poſuit Jo. Hope.'

We cannot omit adding, that, in a ſmall incloſure behind the garden, the profeſſor has a plantation of the true rhubarb, conſiſting of three thouſand plants, moſt of which are now ſix or ſeven years old.

Of the High School.

The earlieſt traces we have been able to diſcover, of a public grammar-ſchool countenanced by authority of the magiſtrates, are in A. D. 1519. To encourage † that inſtitution, which had then been ſubſiſting, the town-council ordered the inhabitants to put their children to the High Grammar-ſchool, prohibiting them from putting the boys under their charge to private ſchools within the town, to learn any thing ſave the primer, and certain other books then given to children, beginning to be inſtructed in reading.

The town-council being diſappointed by the inſtances of the Biſhops, Chancellors of the three univerſities, in their firſt application for authority to erect a college, ſet themſelves about ‡ building a new

* The *Burrum Chundalli* has grown luxuriantly in a hot-bed in the Botanick Garden; and, when the weather favoured, was regular in its motions, as deſcribed above.

† Council reg. v. 1. p. 11. ‡ Ibid. v. p. 96.

new ſchool-houſe. The ſpot choſen for this purpoſe, was a part of the lands beſtowed upon them by Queen Mary, which had formerly belonged to the monaſtery of Black Friars. A contract was entered into with a maſon, for erecting the building, for which he was allowed L. 260 Scots, which, conſidering the difference of weight in the nominal pounds, and in the quantity of alloy mixed with the bullion, was about L. 40 of our preſent Sterling money. At that time there appears to have been two teachers belonging to this ſchool. They had a trifling ſalary, the extent of which we cannot aſcertain; and they were obliged to teach the ſons of freemen of the borough *gratis*. The encouragement they received was ſo ſmall, that the maſters threatened to leave the ſchool, if it was not bettered; upon which they were appointed to receive a quarterly free from the ſons of the freemen; the maſter of three, the uſher * of two ſhillings Scots from each: And all were prohibited from teaching ſchools, without licence from the magiſtrates.

Soon after, four teachers were appointed, with † fixed ſalaries and fees, which have been occaſionally augmented, with the dearneſs of living. The preſent eſtabliſhment conſiſts of a rector and four maſters; of whom the rector has a ſalary of L. 33 : 6 : 8, the other four of L. 20 Sterling. The ſtated fees are, to the rector and maſters, from every boy in his own reſpective claſs, five ſhillings quarterly, and to the rector, from all the boys at ſchool, who are not at his own claſs, one ſhilling each, and to the janitor ſixpence each; but the fees commonly paid are higher, generally half a guinea a quarter. This is eſteemed an excellent ſchool for inſtruction in the Latin tongue. The parents and tutors of the boys have admiſſion at any time, to hear and obſerve the progreſs of the reſpective objects of their concern; and annually there is a public examination in preſence of many people of diſtinction and learning. At this exhibition, the boys, (we are told), really acquit themſelves well, according

* Nearly 6 s. and nearly 4 s. Sterling. The dues paid by the children of perſons not free of the borough, are not mentioned. † Coun. reg. p. 193. 194.

cording to the time which they have ſtudied; not like parrots pratling a leſſon, inculcated for the purpoſe, but ready *ad aperturam libri*, to explain ſuch books as they have read; and that they are well founded in the parts of ſpeech and conſtructions. The number of boys attending this ſchool is about 400.

The ſame building which was deſtined for the accommodation of the ſcholars A. D. 1578, notwithſtanding the great increaſe of their number, and the total change in the manners of living, has continued applied to the ſame purpoſe theſe two hundred years. As, however, the boys are very much crouded, and the rooms are in moſt reſpects inconvenient, the town-council, laſt year, began to build a new * ſchool-houſe, immediately eaſt from the old one. For this purpoſe, they ſolicited the aid of public ſubſcription, which was liberally granted.

The total length of this building is 120 feet from ſouth to north; the breadth at the middle, (excluſive of the ſtair caſes,) is 36 feet, at each end 38; all over walls. The great hall, where the boys meet for prayers, is 68 feet by 30. At each end of the hall, there is a room of 32 feet by 20, intended for libraries. The height of this ſtory is 18 feet. From the great hall, there are aſcents to the ſecond floor by three different ſtair-caſes, each 15 feet by 14 over wall. This floor is diſpoſed into five apartments, for the five claſſes, beſides ſome ſmall rooms for the conveniency of the maſters. Their dimenſions are; of the rector's claſs, in the centre, 31 feet by 25; of the claſs on each ſide, adjoining to the rector's, 31 by 21; of thoſe at the two ends of the building, 33 by 20 feet 6 inches. The height of this floor is 17 feet. The apartments will be fit for being occupied next year. The expence of the whole is eſtimated at L. 3000. In the hiſtory of this ſchool there happened a ſingular event. In the year

* The foundation of this building was laid by Sir William Forbes, Grand Maſter of the Free Maſons, 24th of June 1777. Previous to it, there was a proceſſion of the different Maſon-lodges in the city, of the Lord Provoſt and Magiſtrates, the Principal and Profeſſors of the Univerſity, and of the boys themſelves, dreſſed in their gayeſt attire. The whole witneſſed by an infinite concourſe of ſpectators.

year 1595, the boys becoming tumultuous, ſhut the gates of the ſchool againſt their teachers. Application was made to the magiſtrates, for their aſſiſtance; and one of the bailies, endeavouring to appeaſe the tumult, was ſhot through the head with a piſtol, by a ſcholar of the name of Sinclair. The powerful intereſt of the murderer, perhaps joined to ſome favourable circumſtances * now forgotten, obtained for him a royal pardon.

Of the Academy for Drawing.

The Board of Truſtees for the encouragement of manufactures, &c. in Scotland, in A. D. 1772 appointed Mr Alexander Runciman painter, to teach twenty boys or girls drawing, allowing him a yearly ſalary of L. 120. For the accommodation of this ſchool, the town-council have given Mr Runciman the uſe of two apartments in the College. The Board beſtows L. 15 yearly, to be diſtributed among the ſcholars by way of premium, for the firſt, ſecond, and third beſt drawings. The time limited for each pupil's continuing under Mr Runciman, is four years, that being deemed ſufficient for any boys or girls, of moderate capacity, acquiring a knowledge in drawing ſufficient to aſſiſt them in their reſpective occupations; this inſtitution being ſolely appropriated for the uſe of manufactures, not intended as an academy of painting.

Of the Royal Academy, or Riding School.

As Edinburgh afforded a very general ſeminary of education, the nobility and gentry diſplayed a laudible ſolicitude to render it compleat, by inſtituting a Riding School. The advantages accruing from this branch of education are ſo various, that we muſt expreſs equal applauſe to the promoters of the inſtitution, and ſurpriſe at its not being more generally attended. To ride well, beſides being a graceful

* Council reg. v. 10. p. 42.

ful accompliſhment of the perſon, contributes to eaſe and ſecurity, in an exerciſe the moſt conducive to health; an exerciſe which, in many caſes, affords the only mode of travelling; which beſtows the pleaſures of the chaſe without fear or danger; and which enables one to ſerve his country in the field of battle. We wonder, therefore, how a young gentleman's education can be deemed compleat, if he is not taught to ride well: And we muſt impute the neglect of this branch of education either to a baſe effeminacy, which conſiders riding as an uſeleſs toil; or to a ſpecies of that ſame barbariſm which formerly diſplayed itſelf in ſuch contempt of ſcience, that, at a hundred years after the eſtabliſhment of univerſities, it was found neceſſary to compel * gentlemen, by publick ſtatute, to put their eldeſt ſons, and heirs, to ſchool.

The riding ſchool was built by ſubſcription. The ſum raiſed during the firſt three years amounted to two thouſand ſeven hundred and thirty-three pounds fifteen ſhillings. The town-council of Edinburgh gave the ſubſcribers a piece of ground ſufficient to anſwer their purpoſe. The ſchool was opened in the year 1764; and, in 1766, the royal patron of liberal arts iſſued letters patent under the great ſeal, erecting the preſent and future ſubſcribers into a body-corporate, entitled, THE ROYAL ACADEMY FOR TEACHING EXERCISES. And granted warrant for paying a ſalary of two hundred a year to the teacher of this academy.

The riding ſchool is a hundred and twenty feet long, by forty broad. It is accommodated with ſtables large enough not only for the horſes neceſſary to the academy, but alſo for livery horſes, which are properly taken care of, and broke for the ſaddle. And there is an area without the building, ſufficient for an open manage. It is doing but juſtice to the maſter of the academy, to obſerve, that his abilities, which indeed had already procured him an honourable appointment at the court of Ruſſia, fully correſpond with the purpoſe of the inſtitution; and that he deſerves publick encouragement, not more

* James IV. parl. 5. c. 54.

more from his ſkill as a teacher, than his manners as a gentleman. His ſcholars exhibit undoubted ſpecimens of their progreſs to the numerous ſpectators who witneſs his annual carouſals. And, as an incitement to emulation, a gold medal, given by the city of Edinburgh, is, on theſe occaſions, preſented by the Lord Provoſt to the victor.

Of the Academy for the Deaf and Dumb.

Beſides the ſchools and colleges of publick inſtitution, a ſchool of inſtruction of the moſt curious and important nature is taught by Mr Braidwood: For, it may be ſaid, in effect, to give the deaf to hear, the dumb to ſpeak.

Mr Braidwood firſt attempted this art about the year 1764. He began with a ſingle pupil. He now has a number of pupils, moſtly from England; but ſome alſo from America; and his ſucceſs in teaching them has exceeded his own expectations. He begins with learning the deaf articulation *, or the uſe of their vocal organs; and, at the ſame time, teaches them to write the characters, and compoſe words of them. He next ſhows them the uſe of words in expreſſing viſible objects, and their qualities. After this, he proceeds to inſtruct them in the proper arrangement of words, or grammatical conſtruction of language.

The deaf (Mr Braidwood obſerves) find great difficulty in attaining pronunciation, but ſtill more in acquiring a proper knowledge of written language. Their only method of converſing is by ſigns and geſtures. Their ideas are few, being entirely confined to viſible objects, and to the paſſions or ſenſes; the former of which they delineate by figures, the latter, by geſtures. The connection between our ideas and written language being purely arbitrary, it is a very

* A treatiſe on this ſubject was written A. D, 1692, entitled 'Surdus loquens, ſeu methodus qua qui ſurdus natus eſt loqui diſcere poſſit. Studia et induſtria Joh. Conradi Amman. Med. Doct. Scaffuſa-Helvet. Amſtelaedami apud Henricum Weſtenium M,DC,XCII.'

hard taſk to give the deaf any notion of that mode of converſing, theirs being only hieroglyphical. Another, and ſtill a greater difficulty, is to enable them to comprehend the meaning of the figurative part of language. For inſtance, they ſoon underſtand *high*, *low*, *hard*, *tender*, *clear*, *cloudy*, *&c.* when applied to matter, but have not the ſmalleſt conception of theſe qualities when applied to mind. Notwithſtanding theſe difficulties, the deaf attain a perfect knowledge of written language, and become capable both of ſpeaking and writing their ſentiments in the moſt diſtinct manner, and of underſtanding fully what they read. Being thus advanced, they are capable to learn any art or ſcience, (muſick excepted), and to tranſlate one language into another. Mr Braidwood's pupils are under his tuition from three to ſix years, according to their age, capacity, and conveniency.

When we viſited this academy, we found, that the boys not only could converſe by the help of the artificial alphabet they learned, by putting the fingers into certain poſitions, but that they underſtood us, although perfect ſtrangers to them, by the motion of our lips. In this manner, they actually converſed with us, returning an anſwer to us diſtinctly, yet ſlowly, *viva voce*. It is needleſs to expatiate upon the encouragement due to the author of a mode of inſtruction ſo ingenious, as well as important to an unfortunate part of mankind. We cannot conclude, without expreſſing our hopes, that this valuable art does not depend upon the precarious tenure of a ſingle life; but that Mr Braidwood has communicated ſo much of his method, as to enable ſome one to give ſimilar inſtruction.

Of Literary Societies.

Of the Society for Propagating Christian Knowledge.

From the nature, as well as the management of this inſtitution, there are many objections to the propriety of claſſing it among literary

rary ſocieties. As, however, the original propoſals, ſet forth in its conſtitution, promiſe advantageous purpoſes to certain parts of the community, and as it has been conſtituted into a body-corporate by royal charter, it is our duty to take notice of it in a hiſtory of Edinburgh.

This ſociety ſeems to have been indebted for its inſtitution to a zealous averſion from popery, an antipathy which is ſtill the characteriſtick of the generality of its members, and which is again burſting forth with the fury of a contagion. In the year 1701, the deſign was framed of conſtituting a ſociety, and of raiſing ſubſcriptions for planting ſchools in the Highlands, for inſtructing children in reading * and writing, and in the principles of our religion; for rooting out the errors of popery; nay, for *converting of foreign and Pagan nations.* This ſociety was erected into a body-corporate by Queen Anne, with powers to them to receive ſubſcriptions, and to hold lands, &c. not exceeding the yearly value of L. 2000; and theſe for the propagating of Chriſtian knowledge, and erecting and maintaining of ſchools. The Society enlarged their plan, propoſing to inſtruct children in trades and manufactures; for which purpoſe they applied for, and obtained a charter from his late Majeſty. They ſtill continue to have ſchools in the Highlands for the inſtruction of children.

Of the Philosophical Society.

When the Royal Infirmary was inſtituted, it was expected, that many caſes might occur, of the patients received into that hoſpital, of which the hiſtory might furniſh materials for medical eſſays. To compoſe and publiſh ſuch eſſays from time to time, a ſociety, conſiſting of the profeſſors of medicine, and other gentlemen of that faculty, was formed A. D. 1731. This ſociety publiſhed their firſt volume of *Medical eſſays* A. D. 1732. They afterwards publiſhed

* Maitland's hiſtory, from p. 471. to p. 480.

five more. Theſe volumes have undergone five editions, and been tranſlated into the French, Dutch, and German languages. Such, indeed, is their merit, that Doctor Haller, an excellent judge, has obſerved, that no phyſician can well be without them.

After the firſt year of this inſtitution, the members grew remiſs in their attendance upon its meetings, and in the diſcharge of their duty; ſo that the care and trouble of compiling the medical eſſays fell almoſt entirely upon the late Doctor Monro.

The Medical Society was ſucceeded by the Philoſophical, on the more extenſive plan of including the different branches of natural knowledge, and of the antiquities of Scotland. The rebellion, however, which broke out in A. D. 1745, and the death of Profeſſor Maclaurin, one of its moſt eminent members, ſoon interrupted the meetings. The Society, however, was revived about the year 1752; and, in the 1754, they publiſhed a volume of *Eſſays Phyſical and Literary*, which has met with a favourable reception, as have the two ſubſequent volumes publiſhed by them.

This ſociety ſtill continues to meet occaſionally; ſo that additional volumes on the ſame plan may be expected.

Of the Medical Society.

The ſocieties inſtituted by young gentlemen for the improvement of public ſpeaking, and of ſome particular branches of ſcience, deſerve notice, as ſchools of education. Even the voluntary inſtitution itſelf, of ſocieties for promoting ſuch beneficial purpoſes, breathes forth a laudable ſpirit; and we may aver, without flattery, that the effects reſulting from theſe inſtitutions have fully correſponded to the intentions with which they were founded.

The Medical Society appears to have been coeval with * the inſtitution of a regular ſchool of medicine in the Univerſity, by the eſtabliſh-

* This Society was entirely diſtinct from that already taken notice of, as inſtituted for the purpoſe of publiſhing medical eſſays.

eſtabliſhment of profeſſors in the different branches of that ſcience. Doctor Cullen, Doctor Fothergill, and others of the moſt eminent phyſicians in Britain, were among the firſt of its members. None of its records, however, of an earlier date than A. D. 1737, are now preſerved. Since that time, the greater part of the medical ſtudents at the Univerſity, who have diſtinguiſhed themſelves by their ingenuity or diligence, have been members of this ſociety; nor is any one admitted into it till he has been of ſome ſtanding in the ſtudy of phyſick. But, their being erected into a body-corporate, was, by charter from his preſent Majeſty, of ſo recent a date as 14th December 1778.

This ſociety is intended as a branch of medical education, and a ſource of farther diſcoveries and improvements in that ſcience, and thoſe branches of philoſophy moſt intimately connected with it. The members, at their weekly meeting, read, in rotation, diſcourſes on medical ſubjects, which, at leaſt ſix months previous to their delivery, had been aſſigned to them by the Society, either at their own requeſt, or by lot. And, before any diſcourſe be publickly read, it is communicated in writing to every member, three of whom are particularly appointed to impugn, if neceſſary, its doctrines. From theſe circumſtances, the author of every diſcourſe is induced to beſtow the utmoſt pains in rendering it as compleat as poſſible; and the other members have an opportunity of coming prepared to point out every other view in which the ſubject can be conſidered. Thus, emulation and induſtry are excited, genius is called forth, and the judgment exerciſed and improved. By theſe means, much information is obtained reſpecting facts and doctrines already publiſhed; new opinions are often ſuggeſted, and farther inquiries pointed out. And it is acknowledged by all who are acquainted with the Univerſity of Edinburgh, that the Medical Society has contributed much to the proſperity and reputation of this ſchool of phyſick.

If this inſtitution has formerly been productive of advantages, ſtill greater benefit may now be expected from it; for, by ſubſcriptions

tions from the members, and ſome other gentlemen deſirous of encouraging ſo uſeful an inſtitution, they are now accommodated with a building that will enable them to proſecute inquiries which they could not formerly purſue. This building is erected in the neighbourhood of Surgeons-hall, on an area beſtowed on them by the incorporation of ſurgeons. Beſides ſmall apartments, it contains three rooms of thirty feet by twenty each. One of theſe ſerves as a hall for their weekly meetings, another as a repoſitory for their valuable collection of medical books, of natural curioſities, and anatomical preparations; and the third is to be fitted up for chemical experiments, when the ſociety's funds, or farther contributions, enable them to defray the expence. When the different apartments are furniſhed with a proper apparatus, the ſtudents at this univerſity will enjoy advantages which are not to be obtained at any other ſeminary of medical education.

The building has a plain handſome front; and the roof terminates in a cupola, intended for an obſervatory, and adorned with the enſigns of the Æſculapian art.

Of the Speculative Society.

The ſpeculative ſociety was inſtituted for improvement * in publick ſpeaking, and in ſcience in general, without having peculiar reference to any of its branches. The members meet weekly during the ſitting of the College, in a hall built by themſelves †, on a ſpot of ground on the ſouth ſide of the College area, granted them for the ſpecial purpoſe, by the town-council of Edinburgh, at the recommendation of the Principal of the Univerſity. The gentlemen diſcourſe in rotation upon any literary ſubject they incline; and theſe performances undergo a very free criticiſm. The reſt of the evening's entertainment conſiſts of a debate upon a ſubject previouſly appointed, which is opened by one of the members in rotation, and diſcuſſed by the ſociety at large.

Far

* A. D. 1764. † A. D. 1769.

Far from a promiſcuous admiſſion into this ſociety, it is reſtricted to a very limited number; and ſuch has been its reputation, that the number of candidates for ſupplying vacancies, has afforded the ſociety an opportunity to ſelect thoſe who are diſtinguiſhed for capacity, induſtry, and decorum. It conſiſts of gentlemen who follow reſpectively all the liberal profeſſions; but the greateſt number belongs to the law *: And it has already furniſhed ſeveral profeſſors to the univerſities of St Andrews and Edinburgh.

CHAPTER

* When the city of Edinburgh was this year raiſing a regiment in ſupport of government, this ſociety gave a hundred guineas towards that purpoſe.

CHAPTER IV.

OF the Art of Printing, and of Periodical Publications—Literary Property—Liberty of the Preſs—Medical and Philoſophical Commentaries—Scots Magazine—Weekly Magazine—Edinburgh Courant—Caledonian Mercury—Edinburgh Advertiſer.

WE have already had occaſion to remark the introduction of the art of printing * into Scotland; that, in its infancy, the art was by no means profitable to thoſe who carried it on; and that the preſs was ever the object of the jealouſy and oppreſſion of the reigning party. The art of printing appears to have been introduced into Scotland, A. D. 1509. A breviary printed in that year, compoſed by the Biſhop of Aberdeen, for the uſe of his cathedral, is preſerved in the Advocates Library. It conſiſts of two volumes. The title page of the firſt, and ſome leafs at the end, are wanting. The ſecond volume, which was printed A. D. 1510, has, at the beginning, a callendar, and at the end theſe words: '*Opido Edinburgenſi impreſſo juſſu et impenſis honorabilis viri Walteri Chepman ejuſdem opidi Mercatoris quarto die Junii milleſimo* CCCC *decimo.*' On the outſide of this leaf is a wooden engraving, repreſenting a man and woman, their under parts clothed with ſkins of beaſts, their ſhoulders bare, their heads adorned with wreathes of flowers. They are ſtanding one on each ſide of a tree; on the tree hangs a ſhield, on which is engraved the cypher of W. C.

But the name of no † Scots ‡ printer is preſerved earlier than A. D. 1541. In that year ſome new acts of parliament were printed by Thomas Davidſon, King's printer. This book, which is alſo preſerved in the Advocates Library, is as beautifully executed as any

* Book 1. c. 2. † Ames p. 573. 576. ‡ A copy of Boetii Hiſtoria Scotorum was printed at Edinburgh, A. D. 1526, by *Jodocus Badius Aſcenſius*, a foreigner.

any to be ſeen at this day, eſpecially when we conſider that it is printed on vellum. As a frontiſpiece, it has the arms of Scotland engraved; and at the end, a picture of Chriſt on the croſs, ſurrounded by a multitude of figures. On that ſame year, a tranſlation of Boetius, was printed on paper by Davidſon. Some time afterwards, the acts of parliament, from the reign of James I. downwards, were printed by Robert Lekprivik, the King's printer, by whom a number of books were publiſhed, and who had printing preſſes at Edinburgh, St Andrews, and Stirling. A folio Bible was printed at Edinburgh, by Thomas Baſſandyne, A. D. 1576, *Buchanani hiſtoria*, by Alexander Arbuthnet, King's printer, 1582, and a folio Bible by Andrew Hart 1610*. Theſe books were as fairly and correctly printed, as thoſe publiſhed at the time in any part of Europe. The laſt, in particular, was ſo much eſteemed, that many ſubſequent impreſſions of the Bible bore upon the title page, '*conform to the edi-*' *tion printed by Andrew Hart.*'

Beſides the printers already mentioned, Nefield, Waldgrave, Raban, Bryſon, and Young, are counted among the early ſupporters of the Scottiſh preſs. The laſt of theſe was printer to King Charles I. He publiſhed a book of common prayer in folio, at Edinburgh, A. D. 1637, far ſuperior to thoſe executed in England at the ſame period. The merit of this performance was its author's ruin; he was compelled by the covenanters to fly the kingdom.

After the commencement of the civil wars, in the reign of Charles I. the art of printing fell into decay. Evan Tyler, who then held the office of King's printer jointly with Young, who was obliged to fly for executing an edition of the prayer-book, deſerted his maſter's intereſt, and became printer to Cromwell. He, in his turn, was obliged to fly, a ſentence of forfeiture having paſſed againſt him at Scoon, when Charles II. was in Scotland A. D. 1650; but Cromwell prevailing, Tyler aſſigned his patent to ſome ſtationers at London, who ſent down Chriſtopher Higgins, with ſome Engliſh journeymen. Theſe carried on the buſineſs at Leith. It chiefly conſiſted in reprinting

* Watſon's hiſtory of printing, pref. p. 8. 9. 10.

news papers firſt publiſhed at London, and in printing ſome ſmall books, and theſe too very badly. Higgins dying, the London ſtationers appointed Patrick Ramſay, a Scotſman, overſeer of the work; but the buſineſs not turning out to good account, the proprietors of the printing-houſe ſold it to ſeveral bookſellers, who divided and ſet up diſtinct offices, where they printed ſchool-books and treatiſes on divinity in a very clumſy manner.

After this, Archibald Hyſlop, a bookfeller, ſet up a printing office, jointly with William Carron a printer and excellent workman. They brought new materials from Holland, and printed Thomas a Kempis, and ſome other little books, very neatly. While the art ſeemed thus to revive, it received an almoſt mortal blow, through the tyrannical adminiſtration of Charles II. an adminiſtration, whoſe attention ſeems to have been divided between exalting the royal prerogative, and gratifying their own rapacity; but ſeldom applied to a conſideration of the wellfare of the people.

Andrew Anderſon, formerly a printer in Glaſgow, having ſet up in Edinburgh, prevailed on the other printers in the city to apply for a patent to be taken out in the name of Anderſon, by which they were to be jointly veſted with the office of King's printer. They ſucceeded in their application, and obtained ſo broad a patent, *that no one in the kingdom durſt print any book, from a Bible to a ballad, without licence from Anderſon.* Soon after the company diſagreed, they apprehended themſelves to be injured by the acting partners, and they ſold their ſhares in the printing-houſe and patent to Anderſon's widow, (Anderſon himſelf being dead), who thus became poſſeſſed of a monoply of the art of printing over all Scotland. Anderſon, and after him, his heirs, being poſſeſſed of ſo precious a gift, made, as was natural, the moſt of it. On the very firſt year, he printed a * New Teſtament, ſo full of errors, that the privy council prohibited the ſale of the incorrect copies, and ſtrictly enjoined the

* Rec. of Privy Council, No. 2. p. 441. 457.

the printers, that the future editions of the ſcriptures ſhould undergo an accurate reviſal.

Notwithſtanding this injunction, (to uſe the words of a contemporary writer) 'Nothing came from the royal preſs, but the moſt illegible and uncorrect Bibles and books, that ever were printed in any one place in the world. She * regarded not the honour of the nation, and never minded the duty lay upon her as the † ſovereign's ſervant. Prentices, inſtead of the beſt workmen, were generally employed in printing the ſacred word of God. And, in fine, nothing was ſtudied but gaining of money by printing of Bibles at any rate, which ſhe knew none other durſt do, and no body could want them.' To procure a ſale of the traſh which ſhe publiſhed, it was neceſſary that a perſecution of all the printers ſhould be ſet on foot, who had ventured to exerciſe their employment. Accordingly, Sanders of Glaſgow, Reid of Edinburgh, and Forbes of Aberdeen, were proſecuted; and, beſides the expence of litigation, they had their printing-houſes ſhut up, and were themſelves fined and impriſoned.

The deſtruction of a liberal art, by perſecuting tradeſmen for carrying on their lawful employment, and the avaritious motives which dictated that oppreſſion, excited an univerſal murmur. Upon the Duke of York's coming to Scotland, John Reid, one of the printers whoſe houſe had been ſhut up, complained to his Royal Highneſs of the oppreſſion which he and his brethren of the trade had undergone through the extenſiveneſs of Anderſon's patent. The matter being moved in the privy council, the Duke declared, that it could only be the King's pleaſure that his printer ſhould enjoy thoſe privileges which his royal predeceſſors had been in uſe to grant to their printers; ſuch as printing of Bibles, acts of parliament, &c.; upon which the privy council allowed the printers to carry on their ordinary work. Being thus curtailed in her privileges, Mrs Anderſon reſolved to proſecute the more rigorouſly thoſe which remained to her.

* Mrs Anderſon, the patentee's widow. † Watſon's hiſt. of printing, pref. p. 13.

her. From the printers ſhe turned upon the bookſellers, and ſeized a quantity of Bibles which they had commiſſioned from London, merely becauſe thoſe of her printing were illegible. The bookſellers complained to the privy council, and printed the *errata* of one of Anderſon's Bibles, and laid it before them. After long debate, they not only ordered the books to be returned, but, in defiance of Anderſon's patent, granted permiſſion to all printers and bookſellers to publiſh Bibles. To this, indeed, a condition almoſt impoſſible was annexed, 'That every ſheet ſhould be reviſed by the clerk of 'privy council;' and it does not appear that ever any Bibles were printed in conſequence of this permiſſion.

As the badneſs of the patentee's workmanſhip deſtroyed the ſale of her Bibles, ſo it was likewiſe the means of depriving her of the liberty of printing the acts of parliament. Sir Thomas Murray of Glendoick, having digeſted the ſtatutes more carefully than * had been done formerly, obtained liberty from Charles II. to employ, in printing them, thoſe whom he ſhould find moſt capable to execute ſo important a work. Sir Thomas having contracted with David Lindſay merchant in Edinburgh, and John Cairns printer, who had now got the printing-houſe of Hyſlop, formerly mentioned, a patent was made out, giving them the ſole privilege of printing the acts of parliament for nineteen years. To execute the work, two tradeſmen, Joſhua Van Solingen, and Jan Colmar, and new materials were brought from Holland. Cairns dying, the Dutchmen acquired the property of the printing-houſe, and publiſhed the folio acts of parliament; a book, which, in its execution, will not ſuffer, by compariſon, with any printed about the ſame period.

As Mrs Anderſon, notwithſtanding the check ſhe had received from the privy council, harraſſed the Dutchmen in the exerciſe of their buſineſs, Lindſay, who contracted for publiſhing the ſtatutes, obtained a patent from Charles II. for himſelf and his partners for printing any book that was not the peculiar privilege of the King's printer:

* Watſon's hiſt. pref. p. 15.

printer: And, in this patent, that of Mrs Anderſon is termed a monopoly. Lindſay protected the Dutchmen, by taking them into partnerſhip; and they, in return, gave him a ſhare of the houſe.

The Dutchmens affairs falling into diſorder, they made over the printing-houſe to James Watſon merchant in Aberdeen, who, in lieu of payment of a ſum of money lent by him to Charles II. when in exile, procured for himſelf the gift of an excluſive privilege of printing almanacks in Scotland, and of the office of printer to his Majeſty's houſehold, with a ſalary of L. 100 a year; and for his ſon, a reverſionary * grant of the office of King's printer, upon the expiry of Anderſon's patent. But, by the father's death, which happened ſoon afterwards, it was neglected to get the patent to paſs the ſeals.

In A. D. 1695, young Watſon, author of the hiſtory of printing, ſet up his employment in Edinburgh as a printer, as ſome years afterwards did a few others. He alſo was attacked by the patentee. This woman, although ſhe would not beſtow the ſmalleſt pains or expence on executing her art, was, at the ſame time, indefatigable in protecting her patent by the artillery of the law. Notwithſtanding the decrees of privy council, giving liberty to printers to follow their employments, ſhe applied to the magiſtrates of Edinburgh, and prevailed upon them to prohibit him from working; an interdict which, however, they ſoon removed. She next, upon falſe pretences, obtained a warrant from the privy council, ſhutting up his houſe. But, upon a full information being given in for Watſon, (in which all the printers in Edinburgh concurred), and counſel being heard, the interdict was withdrawn; and Mrs Anderſon found it vain to renew any ſimilar attempts.

Still, however, the art of printing was carried on at Edinburgh upon a very limited ſcale. Till within theſe forty years, the printing of news-papers, and of ſchool-books, of the fanatick effuſions of preſbyterian clergymen, and the law-papers of the Court of Seſſion,

* Watſon's hiſt. pref. p. 16.

ſion, joined to the patent Bible-printing, gave a ſcanty employment to four printing-houſes. Such, however, has been the increaſe of this trade, by the reprinting of Engliſh books not protected by the ſtatute concerning literary property, by the additional number of authors, and many leſſer cauſes, that there are now no fewer than twenty-ſeven printing-offices in Edinburgh. It muſt be confeſſed, however, that printing at Edinburgh is not, in general, ſo well executed as in London; and that it is far inferior to the workmanſhip of the Meſſrs Foulis's of Glaſgow, which indeed would do honour to the preſs of any country.

A memorable attempt was lately made by the bookſellers of London, to cut off that increaſe in the employment of printing which was derived to the city of Edinburgh from the republication of Engliſh authors. Had they ſucceeded in their aim, any extenſiveneſs or improvement in the art of printing would, in Scotland, have been finiſhed for ever.

The company of ſtationers of London had foſtered an idea, which they wiſhed to have conſtrued into a law, 'That a perpetual exclu'ſive right to the publication of books was veſted in their au'thors and aſſignees: Or, if the author was not known, that the 'right was veſted in the perſon who firſt publiſhed the book to the 'world, no matter how he came by the manuſcript.' This right was termed LITERARY PROPERTY.

Their firſt attempt to enforce this right in Scotland was in an action before the Court of Seſſion * A. D. 1748, the iſſue of which was unfavourable for the plaintifs. About ten years afterwards, a plan was formed in England, of procuring a judgment by a colluſive trial, which † might be quoted as a precedent. But the court, ſenſible of its importance, having referred the matter to the twelve judges of England, it was allowed to drop. The London bookſellers afterwards applied for ſeveral injunctions of the Court of Chancery,

* Bookſellers of London againſt bookſellers of Edinburgh and Glaſgow; Falconer's deciſions, v. 1. No. 256. † Tonſon againſt Collins.

Chancery, againſt a Scotſman, who had ſet up the trade in London, and harraſſed him twelve years with vexatious ſuits, for printing books not protected by the ſtatute of Queen Anne, for the encouragement * of authors. At laſt, being encouraged by a judgment of the Court of King's † Bench in their favour, they brought an action before the Court of Seſſion, in order to obtain a ſolemn decree upon the general point of law. This ſuit was brought by Hinton, a bookſeller of London, againſt Alexander Donaldſon, originally of Edinburgh, now of London, for printing *Stackhouſe's hiſtory of the Bible*, the ſame perſon who had been already harraſſed by the company of ſtationers, and a combination of printers and bookſellers, and who has had the merit of ſupporting himſelf againſt that numerous and wealthy body, by bringing to a deciſion a general point of the higheſt importance.

Whether the doctrine of literary property is ſupported by the common law of England, or whether it is conſiſtent with the nature of property, or with expediency, or how far the ſtate of the common law of England may be explained or affected by the ſtatute of Queen Anne, we ſhall not make the ſubject of our diſquiſition. But, with reſpect to the law of Scotland, whether we regard the ſtatutes, the deciſions, or the commentators, the idea never once occurs; nor does any writer on the Scots law make mention concerning it, till Bankton, who wrote long after the ſtatute. The Scottiſh lawyers were divided in their notions reſpecting printing; but the ideas of all parties were repugnant to literary property; Sir George Mackenzie, and other ſticklers for the prerogative, holding that printing was *inter regalia*, and that none could print without licenſe, to which effect, indeed, a public ſtatute was ‡ enacted. But the general opinion was, that printing, like other trades, might be exerciſed by any one, and of any book, unleſs where a reſtraint was impoſed by particular patent, or monopoly. This is ſufficiently evinced by the patents which appear prefixed to moſt of the Scots publications

* An. 8. Annae c. 19. † Miller againſt Taylor. ‡ Mary, parl. 5. c. 27.

publications of the laſt century, (eſpecially thoſe upon law), granting, at the requeſt of the author, an excluſive privilege of printing the reſpective books for a certain term of years.

By the iſſue of the cauſe, Hinton againſt Donaldon, literary property, or an excluſive right to the publication of books, was declared not to be founded in common law, nor upon any thing but the ſtatute of Queen Anne. This judgment was acquieſced in, in conſequence of the deciſion of the Court of King's Bench in favour of literary property, in the caſe of *Millar againſt Taylor*, having been reverſed upon appeal.

A bill was, in February 1774, brought into parliament, by the London bookſellers, for a further monopoly for fourteen years, in ſuch books as they had, at any time, purchaſed prior to that date. After a warm oppoſition, it was paſſed by the Commons, but was afterwards rejected by the Houſe of Lords. In the next ſeſſion of parliament, a bill was brought in, which was thought to have been prepared with a view of eſtabliſhing, indirectly, in time coming, a perpetual monopoly of books. This was entitled, an act, enabling univerſities to hold, in perpetuity, the copy-right, in books given or bequeathed to them; and it was ſuppoſed, that a device might be fallen upon, by giving a book to an univerſity, and by the univerſity's transferring it to a bookſeller, for eſtabliſhing a monopoly in * all books whatever. To prevent this, a clauſe was inſerted, providing, that, if the univerſities ſhould ſell or delegate the right of printing any book, and if the books ſhould be printed any where but at the preſſes belonging to the univerſities, and for their ſole advantage, then the benefit of this act, with reſpect to ſuch books, ſhould be forfeited. It is thus a matter of eſtabliſhed law, that there is no other monopoly of printing but that granted by the ſtatute of Queen Anne, that beſtowed upon the univerſities, and that poſſeſſed by the King's printer, the privileges annexed to which office are by no means accurately defined.

The

The attempts of the King's printer to enforce his monopoly did not expire with Mr Anderſon; of late, however, they have been chiefly directed to reſtrain from printing of the Bible. In A. D. 1770, Mr Kincaid, King's printer, brought an action againſt Colin Macfarquhar, for printing a Bible with notes, termed *Oſtervald's Bible*. Macfarquhar, in his defences, beſides his ſpecial defences, impugned the right of the King's printer to a monopoly of printing the Bible in Scotland; and Mr Kincaid thought it prudent to drop the ſuit. Since his death, however, his truſtees, if they have acted with leſs prudence, they have at leaſt manifeſted additional courage. A work, entitled *the Self-interpreting Bible*, printed from *an original manuſcript*, had been publiſhed in numbers for the ſpace of about fourteen months, without any complaint whatever, at the inſtance of his Majeſty's printer: When, at length, Mr Kincaid's truſtees applied ſummarily to the magiſtrates of Edinburgh by petition, praying, that the copies of the *Self-interpreting Bible*, publiſhed by Gavin Alſton printer, might be ſequeſtrated. Without hearing Alſton in his defence, or even ſummoning him, the magiſtrates inſtantly granted warrant for ſequeſtrating the copies; ſo that the firſt information which the aſtoniſhed publiſher had of what had been carrying on againſt him, was a viſit from one of the city-clerks, heading a poſſe of town-officers, come to ſeize the books. But, upon the publiſher's repreſenting to them the extravagance of what they were about to perform, they wiſely deſiſted from putting the warrant in execution; and the interdict of the magiſtrates was brought by bill of ſuſpenſion before the Court of Seſſion, before whom the cauſe ſtill depends. No other apology can be offered for the magiſtrates, for ſo extravagant an exertion of power, than that merchants * are not obliged to be verſant in law; that they continue too ſhort time in office to acquire a knowledge in judicial proceedings; and that they generally put too implicit confidence in ſuch retainers to the law as are occaſionally at their hand.

* The magiſtrates muſt be choſen from among the merchants.

We ſhall conclude our account of printing in Edinburgh with a ſhort detail of ſuch attacks as have, from time to time, been made upon the LIBERTY OF THE PRESS.

As the contentions between oppoſite parties in Scotland have not been ſtruggles for liberty, but conteſts for power, the ruling party has uniformly endeavoured to cruſh the freedom of the preſs. The firſt notice taken of the art of printing in * the Scots law, is a ſtatutory prohibition from printing any books whatever without royal licenſe, under pain of confiſcation of moveables, and perpetual baniſhment. Soon after, the church alſo aſſumed a juriſdiction over the preſs in things † ſpiritual, prohibiting any books concerning religion from being publiſhed, till they had been reviſed and approven of by the ſuperintendant of the diocefe. Upon the reſtoration, the prohibition was renewed againſt printing without licenſe ‡ from King, parliament, or privy council; and thoſe who were guilty of ſeditious publications, or even who had them ‖ in their poſſeſſion, were puniſhed rigorouſly. Gazettes, or news-papers, were, in § particular, prohibited from being publiſhed, till they had been reviſed by the Biſhop of Edinburgh. In the reign of James VII. ſeveral printers and bookſellers were impriſoned for publiſhing books without ** licenſe, and had the copies taken from them. But the real offence was, that theſe books reflected on the popiſh religion. At the ſame time, a popiſh printer had ſet up a preſs at the Abbey, whence he publiſhed books in favour of popery without moleſtation, although expreſsly contrary to law.

Upon the revolution, the preſs ſeems to have gained nothing in point of freedom. The privy council diſcharged the printing of any books or pamphlets relating to government ††, till they ſhould be reviſed by the Earl of Caſſils, Maſter ‡‡ of Melvill, and the Lord Advocate.

* Mary, parl. 5. c. 27. † Book of Univerſal Kirk, MS. p. 19. 90. ‡ Records of privy council, No. 1. p. 55. ‖ See book 1. c. 4. § Fountainhall's deciſions, v. 1. p. 73. ** Ibid. p. 482. 496. †† Rec. of privy council, No. 6. January 8. 1690. ‡‡ So the eldeſt ſon and heir apparent of a Lord in Scotland uſed to be ſtiled.

Advocate. Some pamphlets having been publiſhed reflecting upon government, the whole printers in Edinburgh were ſummoned before the privy council, and ſome of them committed to priſon *, from which, in a few days, they were reſcued by the mob. But, not long afterwards, a copper-plate engraving appeared, upon which the government thought proper to found a charge of high treaſon. A deſcription of this print may preſent a lively idea of the ſtate of liberty which this country enjoyed under *her glorious deliverer*. Caledonia was repreſented in the figure of a woman, with theſe words on a label flowing from her mouth: 'Take courage, and 'act as men that hold their liberty, as well as † their glory, dear.' The figure Caledonia was ſupported by eighty-four diſſentient members of parliament, (*the minority*), diſtinguiſhed by the following motto, encircled in wreaths of laurel: '*Patriae Fautoribus.*' Below, an angel ſpoke in theſe words: '*Procul, O procul eſto profani,*' to a multitude of figures, which he was driving with thunderbolts to hell, (which figures the Lord Advocate ſaid repreſented the majority in parliament.) And, in the midſt of the flames, lay a perſon whom the fiend that tormented him addreſſed thus:

'*Vendidit hic auro patriam dominumque potentem*
'*Impoſuit.*'

The Lords found the libel not relevant to infer treaſon, or the pain of death; *but relevant to infer an arbitrary puniſhment*. Although the fact was clearly proven, the jury, to their honour, acquitted the priſoners.

The next attack ‡ upon the liberty of the preſs which we have been able to diſcover, was made by the magiſtrates of Edinburgh,

* Edinburgh gazette, No. 135. 139. June 6. and 20. 1700. † Records of juſticiary, 14th, 22d April, 24th May 1701.

‡ We do not reckon, in this number, the order of the Scottiſh parliament 1706, towards vindicating the independency of the nation, for burning, by the hands of the hangman, a book written by one Atwood, aſſerting the ſuperiority, or *dominium directum*, of the crown of England over the crown of Scotland; Scott's hiſt. p. 722.

who, indeed, have ſeldom been backward in exerting their ample juriſdiction in a peremptory manner.

The criminal proſecution againſt Archibald Stewart, Eſq; Lord Provoſt of Edinburgh, when the city was taken poſſeſſion of by the rebels, for not holding out the city againſt them, was generally looked upon as a rigorous meaſure. A poem, an indiſcreet effuſion of zeal, compoſed by ſome Jacobite upon the occaſion of Provoſt Stewart's acquittal, was publiſhed by Robert Drummond printer in Edinburgh. The ſubject of this piece, which was a mean performance, was the cruelties exerciſed after the late rebellion, from the field of Culloden, down to the trial of Provoſt Stewart. Some harſh and ſcurrilous epithets were expreſſed, which appear to have been intended for the Duke of Cumberland; and groſs reflections were thrown out, which ſeem to have been deſigned for certain people in Edinburgh, who were ſuppoſed to have been active in puſhing the trial againſt Provoſt Stewart. But there were ſeveral blanks in the poem, as well as hieroglyphicks and initials, which were left to be filled up according to the judgment of the reader. The publiſher had already rendered himſelf obnoxious to the whigs, by the diſaffection of his principles, which he was at no pains to conceal; and it appearing that the chief magiſtrate of the city was calumniated in this publication, was perhaps an additional motive towards the marking out Drummond as an object of vengeance.

A criminal complaint, at the inſtance of the procurator-fiſcal for the city, was preſented to * the magiſtrates, in Nov. 1747, accuſing Drummond of publiſhing a defamatory libel, and craving, that he might be puniſhed conform to his demerit. The complaint was ordered to be ſerved upon Drummond; and the accuſed was commanded to appear *the very next day, to anſwer to the charge.* He appeared, in obedience to the citation; and having acknowledged, that the poem libelled was printed in his printing-houſe; but, at the ſame time, declared, that he did not know that the blanks, &c. were meant

* Original proceſs in archives of the city of Edinburgh.

meant to be filled up with thoſe names and characters which the magiſtrates applied to them, he was committed to priſon. Thence he was taken, on the ſixteenth, and received for ſentence, " That he ſhould be remanded to priſon, there to lie till the twenty-fifth, when he was to be taken to the croſs between the hours of twelve and one, and there to be detained bare headed, with a label on his breaſt, expreſſing his offence, while the poem was burning; then to be kept in priſon till he ſhould find ſurety for obeying the ſentence of the magiſtrates, baniſhing* him from the city and liberties for a twelvemonth: And further, depriving him of his freedom, as a burgeſs of the city, for the ſame period." Drummond brought this ſentence under review of the Court of Juſticiary, ſetting forth, 'That the proceedings againſt him were ſo ſummary, that he was 'left no time to prepare † his defences: That, in a caſe of ſuch im-'portance, as to be thought deſerving of pillory, baniſhment, and 'loſs of his freedom and buſineſs in the borough, a Britiſh ſubject 'was entitled to a trial by jury: That the magiſtrates had filled up 'the blanks upon their own conjecture; but that he was altogether 'ignorant how they ſhould be ſupplied: And that, even if he had 'been guilty in every reſpect, as the magiſtrates imagined, that the 'puniſhment was unmeaſurably ſevere.' The Court of Juſticiary refuſed to give him any relief.

Having ſuffered the publick part of his ſentence, and withdrawn from the city, as he was greatly depreſſed with age and infirmities, he ventured to return to his own houſe. There he lived in the moſt private manner, and in great poverty, owing to his buſineſs being ſtopped by the ſentence, when a new publication appeared, that aroused the indignation of the magiſtrates. This was ſtiled, 'The 'King of Pruſſia's letter to his Royal Highneſs Prince Charles.' In this pretended letter, the King of Pruſſia congratulated the young Chevalier

* An inferior judge in Scotland makes nothing of ſentencing a man to whipping, pillory, baniſhment from the limits of his juriſdiction, and ſuch other *trifling* puniſhments, without the *idle* formality of a jury. † Records of Juſticiary, 27th November 1747.

Chevalier upon his arrival on the Continent; complimented him hyperbolically upon his gallantry; and lamented, that his connection with the preſent reigning family prevented him from lending that aſſiſtance to the Chevalier, which his merit deſerved. Inſtantly the magiſtrates ſet themſelves about diſcovering the publiſher. They iſſued a warrant, ſigned by the Lord Provoſt and three of the bailies, and addreſſed to conſtables and town-officers, ſetting forth, 'That 'whereas there being reaſon to believe, that this publication has 'been printed or ſold within this city or liberties, therefore granting 'warrant* to the conſtables, &c. to paſs to the ſeveral printing-houſes 'in this city or liberties, or other houſes therein, where it may be 'ſuſpected the paper above mentioned was printed, ſold, or pu-'bliſhed,' and to ſeize the copies with the types and other materials, and to apprehend ſuch perſons as they ſhould diſcover to have printed or publiſhed the ſame, and bring them before the magiſtrates.

A ſearch was made agreeably to this extenſive warrant, and the maſters of ſeveral coffee-houſes brought before them. Drummond being again the object of ſuſpicion, was dragged from his lurking place, where he lay dangerouſly ill, to priſon: But, after being confined about a fortnight, he was liberated, upon a certificate from a phyſician being produced, that, if he was kept any longer in jail, his life would be in extreme danger. He was, however, obliged to find ſurety a ſecond time, to baniſh himſelf from the city. No further proceedings appear to have been carried on, in conſequence of this pretended letter.

This, however, was not the laſt time Drummond experienced the hand of power. In order to harraſs him, the magiſtrates of Edinburgh became theologues and champions for the church. An expoſition of the ten commands, in the form of queſtion and anſwer, ſome parts of which favoured of popiſh tenets, was printed at Edinburgh. Inſtantly the magiſtrates, watchful that falſe doctrines be not propagated, ſend abroad their *general warrants*. Drummond is again apprehended, and Drummond is again the offender. After having

* Original warrants in archives of the city of Edinburgh.

having been ſome days confined in priſon, he was liberated, upon finding bail to ſtand a trial; which, however, was never purſued.

The next occaſion upon which the printers of Edinburgh were called before the civil magiſtrate, was the moſt trivial which we can conceive capable of exciting the attention of a court of juſtice. It was ſuch, indeed, as appears to us incapable of giving offence, but under the moſt deſpotick of governments; and, although the reſpectable character of the perſons concerned in an attack, which to us appears ſo unwarrantable, forbids our ſuppoſing that they conſidered it as ſuch; yet we cannot help looking upon their conduct, on this occaſion, as tending *to the compleat ſuppreſſion of the liberty of the preſs, and of freedom of communication of ideas between man and man.*

Thoſe who are well acquainted with the late tranſactions in Edinburgh, can be at no loſs to diſcover that we allude to the proceedings of the court of juſticiary, againſt the printers who publiſhed the opinion of Mr Macarty, an Engliſh counſellor, upon the competency of appeal from the court of juſticiary to the * Houſe of Lords, and upon informalities in the trial in the caſe of Patrick Ogilvie and Catharine Nairn.

To treat publickly of matters *in dependence* before a court of juſtice, requires to be done with delicacy; becauſe, although it ſeems allowable, and even proper for any one, to ſuggeſt arguments tending to illuſtrate an important caſe; yet nothing can be more improper, than to attempt to create a biaſs in judges, by a prejudication of their opinions, or even of thoſe of the publick. But when the ſentence is once pronounced, a greater latitude is to be admitted. It is a deciſion upon publick law, reſpecting the important rights of a citizen. It may become a precedent. It is only from an examination of the particulars, that an opinion of the ſolidity of the principles upon which judges have decided, and of the purity of their intentions, can be formed; therefore, when ſentence is pronounced, it is the right of every ſubject, in a free ſtate, to canvaſs it with decency.

* See the general queſtion diſcuſſed, Book 4 c. 1.

decency. Whoever oppoſes this right, is, in ſo far, *an enemy to freedom and the liberties of his country.* The court of juſticiary, notwithſtanding the reſpectable light in which they are eſteemed, will not pretend to a ſtate of purity and infallibility above all other courts. Nay, they will not plead, but that, ſince their erection into their preſent form, proſecutions the moſt tyrannical, and even corrupt, have been carried on before them. Let us add, that, ſuppoſing a miniſtry were to ariſe as wicked as that of Charles II. the animadverſions of the publick would be the moſt ready check upon this tribunal from returning to tyranny and corruption. In the preſent caſe, the court of juſticiary were *functi officiis.* They had determined upon the relevancy of the libel; the jury had returned a verdict; the court had ſuſtained its formality. Sentence was pronounced againſt one of the criminals, and was ſuſpended, with reſpect to the other, only on account of her being with child. The opinion itſelf, given by the Engliſh counſellor, was conſiſtent with the ſtricteſt decency, and had at leaſt a plauſible foundation in law and good ſenſe. It conſiſted of three poſitions, 'That an appeal lay from the court of ju-'ſticiary to the Houſe of Lords: That, by the law of England, a 'charge, that the priſoner was guilty of one or other of two crimes, 'would have vitiated the indictment; and that, from the mode of 'conducting the trial, the priſoners were laid under peculiar diſ-'advantages, which, in the counſellor's judgment, gave an undue 'influence to the evidence adduced againſt them.'

Mr Macarty's opinion, with ſome moſt inoffenſive notes prefixed to it, at which, however, the court took umbrage, having been publiſhed in the Scots magazine, and three Edinburgh news-papers, the court of juſticiary, upon a repreſentation by the Lord Advocate, ordered the publiſhers of theſe reſpective papers, to appear at the bar. The printers attended in obedience to the * citation, *and all of them acknowledged themſelves in the wrong, profeſſed their ſorrow for what they had done, and ſubmitted themſelves to the court.* Nothing

* Rec. of juſticiary, 18th and 25th Nov. 1765.; Scots mag. v. 27. p. 449. 561.

thing could be more daſtardly than this ſubmiſſion of the printers. It was impoſſible for men, in their circumſtances, to deſerve worſe of their country. It is by ſuch abject timidity alone, that uſurpation and tyranny are ſuffered, by gradual ſteps, to grow into eſtabliſhed law. The Lords found, 'That the publication of the ſaid 'opinions, eſpecially with the notes prefixed to it, was a high in-'dignity to the court, and a *precedent dangerous to the conſtitution of* '*the country*;' but, in reſpect of their acknowledgement and ſubmiſſion to the court, the Lords, inſtead of fining, impriſoning, or otherwiſe puniſhing them, only diſmiſſed them with a rebuke.

Notwithſtanding ſo wanton an attack upon the liberty of the preſs, a publication, which we think truly reprehenſible, ſoon afterwards made its appearance, and attracted the cenſure of the court of ſeſſion. This was extracts copied into the Edinburgh news-papers, from a pamphlet, entitled '*Dorando, a Spaniſh tale*,' which had an evident alluſion to the *Douglas cauſe*, then depending before the court of ſeſſion. Such, indeed, was the ſpirit of party that diſplayed itſelf in Scotland, with relation to this memorable cauſe, that one would have thought the Scots had transferred their attachment to hereditary right from the houſe of *Stuart* to that of *Douglas*. Incendiary letters were ſent to the judges, mobs were raiſed, illuminations were compelled, and the walls bedaubed with wretched libels, tending to cramp the judges in that freedom of deciding, abſolutely neceſſary to juſtice.

The pamphlet *Dorando*, appears to have been the production of a keen partizan of the defendant Mr Douglas, if not a hireling of his party. The deſign of this publication was plainly to create a prejudication in the judges, and to anticipate the judgment which its author wiſhed to be pronounced by the court of ſeſſion and the Houſe of Lords. Under the colour of a *Spaniſh tale*, it was a hiſtory, and a very partial one, of the Douglas cauſe. The characters and events were ſo minutely deſcribed, that there needed nothing but a change of the names of the places and perſons to bring it

home. It did not conſiſt of a diſpaſſionate inquiry into the proofs and arguments adduced by the parties; but of a violent declamation in favour of the hero of the tale: And it brought the cauſe to a deciſion, relating the judgment of the court which firſt had the cauſe under conſideration, and alſo of the court of review; nay, putting ſpeeches into the mouths of individual judges, who cannot be miſtaken for any but the Lord Preſident of the court of ſeſſion, the Lord Chancellor of England, and the Earl of Chatham.

From this pamphlet extracts were made in the Edinburgh news-papers of ſome of the moſt exceptionable paſſages, while the cauſe was yet in dependence; and, at the ſame time, ſome other paragraphs appeared, calculated with the like tendency. The Lord Preſident complained of them to the court, and the printers were ordered to appear at the bar *immediately*. They came accordingly, found bail for their appearing at all other times, when that matter ſhould be under conſideration of the court, and were allowed to give in memorials, or to be heard at the bar in their defence. In their defences, the printers pled the general principles of the liberty of the preſs, of their conſtantly having had occaſion to ſee the expediency of matters depending in parliament, the meaſures of government, and the proceedings of courts of law, made the ſubject of criticiſm in theſe periodical publications, without having been ſubject to challenge. They further pled, *that a whole impreſſion of the pamphlet, from which the extracts were taken, had been ſold off in Edinburgh, without the publiſhers having incurred any cenſure.* After an admonition and rebuke, the Lords diſmiſſed them from the bar.

Still, however, the proceedings of the court wear an appearance of abſurdity. The chief culprit, the original publiſher *, was allowed to eſcape; thoſe who only copied from him, were ſubjected to cenſure.

Within

* Although the pamphlet bore to be publiſhed in London, it was alſo publiſhed in Edinburgh.

* * * * * *

Within theſe few years, a great change has taken place in the *liberty of the preſs*. The conduct of perſons in public office has been animadverted upon with freedom, and in ſeveral inſtances cenſured with acrimony. The bench has not eſcaped thoſe criticiſms, for which, ſo long as they are juſt, it will always be the better; and, from recent obſervation, we may venture to affirm, that, till this country ſhall ſuffer ſome melancholy revolution, no judge will be hardy enough to challenge publications, which, twenty years ago, no man would have ventured to print. This important change can only be aſcribed to an increaſing liberality of ſentiment in the country, joined to certain perſons having ſtarted up, who, convinced of the importance of the liberty of the preſs to the freedom of the conſtitution, were reſolved to exerciſe it; and who were poſſeſſed of a determined principle, which, when accompanied with a conſciouſneſs of right, would have ſupported them againſt the frowns of a court.

Of the Medical and Philosophical Commentaries.

The firſt periodical publication in Edinburgh, in point of eſtimation and importance, is the medical and philoſophical commentaries. This work was begun A. D. 1773. It conſiſts annually of four numbers, one of which is publiſhed quarterly. The end which the compilers have in view, is to compriſe, within a narrow compaſs, a diſtinct account of the lateſt and moſt important diſcoveries in medicine, and thoſe branches of philoſophy moſt intimately connected with it. Theſe are chiefly taken from the tranſactions of publick ſocieties, and the writings of private perſons. But, beſides theſe, the authors are enabled to preſent their readers with many curious articles that have never before been publiſhed, in conſequence of an extenſive correſpondence.

Each number of this work is divided into four ſections. The firſt is appropriated to an analyſis of new books, or of particular papers in publick tranſactions. Here they pretend not to give judgment reſpecting the merit of any production; but ſimply preſent their readers with an impartial detail of thoſe facts and doctrines it contains, which they eſteem moſt ſingular or moſt important. The ſecond ſection conſiſts of original obſervations and caſes communicated to the authors for the purpoſe of publication. In the third ſection, they preſent their readers with accounts of medical or philoſophical diſcoveries, which, although never before publiſhed, have been the ſubject of converſation at different places, and concerning which they are informed in the courſe of their epiſtolary correſpondence. In the fourth and laſt ſection, they give a liſt of the medical publications which have appeared in different parts of Europe, during the three preceding months.

The ſucceſs which has attended this publication is a proof of the general idea of its merit and utility. The ſale of it has been extenſive; and the moſt eminent philoſophers and phyſicians in Britain have contributed to the ſupport of it, by tranſmitting original obſervations, or medical news to the authors. Beſides having undergone a ſecond edition, it has appeared in different languages in moſt countries of Europe. A German tranſlation of it, which has been regularly continued, was begun at Altenburgh by a phyſician of eminence, not many months after the publication of the firſt number in Britain.

Of the Scots Magazine.

That ſpecies of periodical publication called *a Magazine*, was firſt introduced in the preſent century. It does not appear to have been attended with ſucceſs till about the year 1730. At that time the *Gentleman's and London Magazines* became rival publications, and had both of them a pretty extenſive circulation over the iſland.

As

As it was obſerved that theſe miſcellanies which were publiſhed at London, were ſomewhat ſtale ere their arrival in Scotland; and, as it was thought, that a magazine, more particularly calculated for Scotland, for a conſideration of its trade, and for the admitting of compoſitions by Scotſmen, might be generally acceptable, the *Scots Magazine* was begun at Edinburgh, by Sands, Brymer, Murray, and Cochrane, A. D. 1739, and is ſtill carried on by Murray and Cochrane. This miſcellany has now ſubſiſted theſe forty years; and although, in that period, it muſt, no doubt, have undergone changes, in point of merit, character, and circulation; yet it has always been eſteemed an accurate, judicious, and impartial publication.

Of the Weekly Magazine.

This periodical performance was begun by Walter Ruddiman junior, printer, A. D. 1768. In this, it was attempted to be copious in eſſays as a magazine, and early in intelligence as a news-paper. This miſcellany conſiſts chiefly of original eſſays on agriculture, manufactures, and other topicks, and of extracts from new publications; beſides ſelect pieces from other magazines and reviews, and the articles of intelligence. As all this was afforded very cheap, the publication was very ſucceſsful. Indeed, it became ſo, in a degree unprecedented in Scotland; for, in winter 1776, the number of copies ſold amounted to three thouſand weekly.

This proſperity excited a jealouſy in the authors of ſome other periodical works. A memorial was preſented to Lord North, ſetting forth, that, although this was nominally a magazine, it was truly a news-paper; and, that its not being ſubjected to ſtamp-duty, was a hurt to the revenue, as well as a prejudice to thoſe periodical publications which were ſubjected to the tax. Upon this an order was directed to the proper officers, to levy and ſue for all duties on papers containing news or occurrences; and in a ſuit, which was brought before the exchequer in June 1777, the weekly magazine

was

was found liable to the duty. That Mr Ruddiman might not incur the ſtamp-duty for two ſheets, he, after this trial, detached the miſcellaneous part from the hiſtorical. Of the former, which ſtill bears its old title, he now publiſhes about fourteen hundred weekly; of the latter, which is 'Ruddiman's Weekly Mercury,' he publiſhes from eighteen hundred to two thouſand.

Of the Edinburgh Courant.

The firſt news-paper that we believe was ever printed in Scotland, was on Tueſday the 5th of Auguſt 1651. It was entitled 'Mercurius Scoticus, or a true character of affairs in England, Ireland, Scotland *, and other forreign parts, collected for publique ſatisfaction.' This paper, which conſiſted of eight pages ſmall quarto, was publiſhed weekly. The place where it was printed, and the name of the printer, are not mentioned; but it probably was printed at Leith. This was but a ſhort-lived publication; for, in November 1652, we find, that is was thought ſufficient to reprint at Leith a news-paper firſt publiſhed at London. This was entitled, 'A diurnal of ſome paſſages and affairs.' This paper alſo was of ſhort duration. In about a year it made way for another, entitled, 'Mercurius Politicus; compriſing the ſum of intelligence with the affairs and deſigns now on foot in the three *nations* of England, Ireland, and Scotland, in defence of the common wealth, and for information of the people. *Ita vertere ſeria*, Hor. de art poet. 'Printed at London, *and reprinted at* Leith.' This paper generally conſiſted of from eight to ſixteen pages. In A. D. 1655, it was reprinted at Edinburgh, which appears to have been the firſt time that a news-paper was put to the preſs in that city. In February 1660, the following change was made on the title of this paper. Theſe words, '*in defence of the common wealth*,' were left out, and the following were added, '*Publiſhed by order of parliament*.' At the end of the paper are theſe words, 'Edinburgh, reprinted by 'Chriſtopher

* Collection of news-papers in poſſeſſion of Mr Hary Guthrie writer in Edinburgh.

'*Chriſtopher Higgins* in *Hart's* cloſe, over againſt the Tron Church, '1660.'

On the 8th of January 1661, a new periodical work was publiſhed at Edinburgh, weekly, by Thomas Sydſerf, ſon of the Biſhop of Orkney, bearing this title; 'MERCURIUS CALEDONIUS, compri-'ſing the affairs now in agitation* in SCOTLAND; with a ſurvey of 'forraign intelligence.' At the foot of the 8th page are theſe words: '*Edinburgh*, printed by a ſociety of *Stationers* in the year 1661.' This paper, which was a fulſome rhapſody in praiſe of the King and royal family, expired in three months. It was ſucceeded by 'The 'Kingdoms Intelligencer, of the affairs now in agitation in *Scotland*, '*England*, *and Ireland*; together with forraign intelligence. *To* '*prevent* †*falſe news. Publiſhed by authority.*' From the copies we have ſeen of this paper, it ſubſiſted at leaſt ſeven years.

It is as impoſſible, as it would be inſignificant, to enumerate the different news-papers which may have, from time to time, ſtarted up, and died away. In A. D. 1699, an Edinburgh gazette was publiſhed by authority, by James Watſon. In the year 1709, the town-council, in virtue of the plenipotent juriſdiction they aſſumed, granted Mr David ‡ Fearn advocate, licenſe to print a paper, to be called, '*the Scots Poſtman*,' every Tueſday, Thurſday, and Saturday; with *a prohibition againſt all others from printing news-papers on theſe days*.

At what time the Edinburgh Courant was begun to be publiſhed, we know not. But it appears to have been of an earlier date than the Scots Poſtman; for, in A. D. 1710, the celebrated ‖ Dr Daniel de Foe, author of the hiſtory of the union, got liberty from the town-council to publiſh the Edinburgh Courant, in room of the deceaſed Adam Bog. This paper is publiſhed by the executors of Robert Fleming every Monday, Wedneſday, and Saturday, in four pages large folio.

OF

* Mercurius Caledonius in Advocates Library; alſo in the poſſeſſion of Mr Robertſon, preſent publiſher of the Cal. Mercury. † Mr Guthrie's collect. of papers. ‡ Council reg. v. 39. 17th Auguſt 1709. ‖ Ibid. v. 39. 1ſt February 1710.

Of the Caledonian Mercury.

The time that this paper was begun is uncertain. It is printed on the ſame days, and in the ſame ſize, with the former. For many years it was publiſhed by that celebrated ſcholar and antiquary Thomas Ruddiman, A. M. The right to this paper was purchaſed from the heirs of Meſſrs Ruddimans, A. D. 1772, by Mr John Robertſon, the preſent publiſher.

The intereſting ſtate of public affairs induced Mr Robertſon, about two years ago, to publiſh the Caledonian Mercury on each day that a London poſt arrives, i. e. five times a week. The communication by poſt between moſt parts of Scotland being open only three days in the week, joined to an additional duty having been laid upon news-papers, after Mr Robertſon's propoſals for publiſhing five times in the week were circulated, made this plan be attended with leſs ſucceſs than was due to the public ſpirit diſplayed in the attempt. The plan was dropped. The paper is now publiſhed on the former days, and is in a very flouriſhing condition.

When the young Chevalier lay at Edinburgh with his army, the Caledonian Mercury was made the vehicle of communicating the intelligence of his party. In the *Mercuries* of September and October for that year, are to be ſeen the Pretender's manifeſtos and proclamations, and other articles, which afford not incurious matter of reflection to thoſe who conſider the viciſſitude of human affairs.

Of the Edinburgh Advertiser.

Upon the poſts between London and Edinburgh being increaſed from three to five in the week, Mr Alexander Donaldſon bookſeller, now of St Paul's Church-yard, began to publiſh a news-paper, entitled, The Edinburgh Advertiſer, on the new poſt days, Tueſday and Friday. This paper, which conſiſts of eight pages quarto, is publiſhed twice a week. It is now carried on by his ſon, and has an extenſive circulation *.

CHAPTER

* It is a ſtrange circumſtance, that, when we were at London A. D. 1777, Bath, Briſtol, Liverpool, York, and other news-papers, were to be found in many Coffee-houſes: but none from Edinburgh, but in the *Edinburgh Coffee-houſe.*

CHAPTER V.

OF Legiſlative and Judicative Aſſemblies, and of the Juriſdiction of the Magiſtrates of Edinburgh—Of the Parliament of Scotland—Convention of Royal Boroughs—Courts of Seſſion—Juſticiary—Exchequer—High Court of Admiralty—Commiſſary Court—Lyon, Sheriff, and Juſtice of Peace Courts—Criminal Court of Edinburgh—Bailie Court—Ten mark Court—Dean of Guild Court.

THE ſupreme and abſolute power preſently veſted in parliament was by no means of old poſſeſſed by the parliament of Scotland; and that not ſo much from the want of right, as of force. The country was uncivilized; freedom was not eſtabliſhed; the chieftains poſſeſſed a power and juriſdiction incompatible with a regular government. Standing armies, nay, even regular forces, were unknown; taxes were little felt; the King enjoyed a large patrimonial eſtate; and the neceſſity of holding parliaments was not ſo urgent, nor the influence of its decrees ſo important, as in modern times. Their meetings were ſhort, but not unfrequent. Their deliberations chiefly reſpected the regulating of inland commodities, and internal police: And, from the barbarous manners of the country, ſuch reſiſtance was made to the executive arm of the ſtate, that frequently there was no enforcing the decrees of parliament, or ſentences of the courts * of juſtice, without letting looſe all the terrors of proſcription and of the ſword.

* Of this, the acts of parliament regulating the manner of attending courts of juſtice; the act concerning the clan *Gregour*; an order of Queen Mary for the inhabitants of no fewer than *eleven counties* to attend in arms one of the judges going upon a circuit; and the letters of fire and ſword which were frequently iſſued, afford ſufficient evidence.

James

Beſides its legiſlative authority, the parliament, from the earlieſt times, acted in a judicative capacity, both in civil and criminal caſes, and that in the firſt inſtance, as well as upon appeal.

There is no veſtige of any parliament having been held in Scotland before the reign of William the Lyon. That Prince mounted the throne A. D. 1165. Some of his ſtatutes are preſerved, which bear to have been enacted at Perth, 'Coram *Epiſcopis, Abbatibus,** 'Baronibus, *et aliis probis hominibus terrae ſuae.*' It is fully inſtructed, that, by the *aliis probis hominibus*, were meant freeholders, holding immediately of the crown; for one of the ſtatutes of that ſame Prince is mentioned, as being enacted by the King, 'de *com-* 'muni concilio et deliberatione Praelatorum, Comitum, et Baronum, ac 'Libere-tenentium.' And, in the ſtatute of Alexander II. it is declared, that no one ſhall undergo a trial that may affect him in his life, or any of his members; 'Niſi *per fideles homines, et per probos* 'libere-tenentes per chartas.'

Antiently, a repreſentation of the counties in parliament could not take place; for the freeholders, holding of the crown, attended perſonally.

James II. parl. 14. c. 82.; Mary, parl. 6. c. 41.; James VI. parl. 8. c. 140.; Charles I. parl. 1. c. 30.; Keith's hiſt. of Scotland, p. 198. Letters of fire and ſword were commiſſions addreſſed 'To ALL AND SUNDRIE,' iſſued by the privy council, in name of the King, giving power to certain commiſſioners to convocate the people in arms, and to purſue and apprehend the perſons againſt whom the letters were directed; and, in caſe of reſiſtance, to kill, burn, and deſtroy, &c. An ingenious writer appears to have conſidered them as being partly an engine of arbitrary power; and obſerves, that they went into diſuſe upon 'the 'mild and equitable government that commenced at the revolution.' Quite the reverſe; they were proofs of the imbecillity of government, and of the turbulence of the people. Let it be aſked of this good Lord, Where did *this mildneſs and equity commence?* Was it in the valley of Glencoe? Does he collect thoſe amiable virtues from the mandate of King William to his officers to murder all under ſeventy, or in the barbarous punctuality of the ſoldiers, who performed their commiſſion in the dead hour of the night, againſt thoſe with whom they lived in apparent friendſhip; the gueſts againſt their reſpective landlords? A maſſacre ſo unprovoked, ſo barbarous, and ſo impolitick, as hardly to be parallelled; Kaimes's Elucidations, p. 411.; Memoirs of the maſſacre of Glencoe, p. 55. 74.

* Statuta Wilhelmi, c. 1. 32.; Statuta Alexandri II. c. 3.

ſonally. This attendance was found troubleſome. Thoſe entitled to be preſent frequently appeared by deputy, an abuſe afterwards corrected * by ſtatute; or abſented themſelves altogether, for which they ſuffered a pecuniary penalty. But, in the reign of James I. the ſmall barons and freeholders were allowed to appear by their repreſentatives †; and the counties were appointed to defray the expences of their repreſentatives, a law obſerved in Scotland till the union. Still, however, the leſſer barons neglected to ſend commiſſioners, the condition upon which they were exempted from attending on parliament; and were alſo remiſs in ‡ paying their attendance; ſo that, at laſt, it came to be doubted, how far they were entitled to a ſeat: And it was not till the reign of James VI. that the appearance of the leſſer barons, by their repreſentatives, came to be *fully* eſtabliſhed.

The time when the boroughs firſt appeared in parliament by their repreſentatives, can be pretty nearly aſcertained. It was between the years 1319 and 1326. In the ‖ laſt of theſe years, the boroughs are mentioned, as being preſent in parliament, conſenting to an aid granted to King Robert Bruce, and as forming the third eſtate of parliament. The three eſtates were antiently conſidered as being compoſed, the firſt, of dignified churchmen; the ſecond, of the earls and barons; the third, of the commiſſioners from boroughs. But, in the reign of James VI. attempts were made to aboliſh epiſcopacy; and the privileges enjoyed by the order of biſhops were ſucceſſively infringed and reſtored. In the year 1640, the epiſcopal form of church-government was § aboliſhed, and the dignitaries of the church were excluded from parliament. Upon the reſtoration, both were

* James I. parl. 3. c. 52. † Ibid. parl. 7. c. 102. ‡ James II. parl. 14. c. 75. James IV. parl. 6. c. 78; Append. to Robertſon's hiſtory of Scotland, No. 4.

‖ In the enumeration of the conſtituent parts of the firſt parliament held by Robert Bruce, no mention is made of the boroughs. But they are taken notice of in an indenture between that King and his people, as being preſent in parliament A. D. 1326; *Statuta prima Roberti Primi*; MS. in Advocates Library, publiſhed in Kaimes's Law Tracts, Append. No. 4.; *Statuta Davidis II. c.* 41. § Reſcinded acts A. D. 1640. c. 2.

reſtored. At the revolution, both were finally abrogated; and, from that time, the three eſtates of parliament were, the nobility, the barons or knights of the ſhire, and the commiſſioners from the boroughs.

The moſt remarkable difference between the Engliſh and Scottiſh parliaments was, that, in the latter, the three eſtates did not form ſeparate houſes. They conſtituted one aſſembly, joined in one debate; and the reſult of their deliberations was determined by the plurality of voices collected from the whole individuals. Thus, each eſtate's poſſeſſing a negative, and thereby being a check againſt encroachments by the others, one of the great ſafeguards of the Engliſh conſtitution was wanting.

The parliaments of theſe reſpective nations differed in another point, of ſuch importance, as in Scotland left the King an almoſt abſolute controul over the matters to be agitated in that aſſembly. There was a committee peculiar to the Scots parliament, entitled *the Lords of Articles*. They are a remarkable inſtance of an inſtitution, harmleſs, and even ſalutary in its origin, upon being ſuffered to remain unaltered, with a change of manners and of circumſtances, becoming moſt pernicious. In the early ages of the Scottiſh parliament, the nobles and barons were equally rude in manners, and deſtitute of learning. Accuſtomed to thoſe conteſts which were to be decided by vigour and agility of body, they were ſtrangers to any deep or painful exerciſe of the faculties of the mind, ſtill more to thoſe arts which make a figure in debate. Conſcious of their general incapacity for conducting buſineſs, a committee of perſons, the moſt intelligent and expert, would be appointed to deliberate on matters that were to be brought into parliament, and to prevent an unneceſſary multiplication of buſineſs, by rejecting ſuch as were obviouſly inexpedient. Thus, to the aſſembly at large, no further trouble would be given, than to judge of matters, whoſe tendency was ready to be explained to them by the committee, and to give their

their approbation or diſſent. In this manner, *the Lords of articles* came to be inſtituted.

As matters brought into parliament were wont to be introduced by the Lords of articles, in time it came to be contended, that nothing could be agitated in that aſſembly, unleſs uſhered in by this committee, who were thus veſted with a negative, which could quaſh the very introduction of any matter into parliament; a negative which was even * ratified by ſtatute.

The committee of articles was probably a very early inſtitution in the Scottiſh parliament. It is at leaſt, we are certain, coeval with the firſt national aſſembly held by James I. before which †, parliaments were ‡ not regularly, nor frequently aſſembled. As it behoved the Lords of articles to have ſuch influence upon the reſolutions of parliament, the mode of electing them was of great importance. They were generally, if not uniformly, choſen by the eſtates of parliament themſelves; and it was chiefly from the influence which the crown had with the biſhops, and from the officers of ſtate being joined to this committee, that the King poſſeſſed ſuch an authority over it. The Lords of articles conſiſted of an equal number from each eſtate; the manner of chooſing them was frequently varied. From the reign of Charles I. downwards, the parliament, after having been legally aſſembled and conſtituted, adjourned for a ſhort ſpace. The Lords Spiritual met in an apartment by themſelves, and choſe

* James VI. parl. 14. c. 218. † See title to the ſtatutes of James I. printed in black letter. Ditto to 14th parl. of James III.; Rolls of parl. 1633, 1685.; Charles II. parl. 1. ſeſſ. 3. c. 1.

‡ It is deſerving of notice, that the firſt parliament which appears to have been held in Scotland, was in the reign of William the Lyon, who had been a long time priſoner in England; and the firſt time that the leſſer barons appeared by their repreſentatives in parliament, was in the reign of James I. who was alſo a long time priſoner in that country: Nay, this prince appears to have intended, that the Lords and Commons ſhould meet in ſeparate houſes, as in England; for, in the ſame ſtatute by which commiſſioners from the ſhires are introduced, they are appointed to chooſe a *ſpeaker*, who was to manage the buſineſs of the commons. Now, the chancellor was already the preſident and ſpeaker of parliament; but hardly any part of this act took effect. James I. parl. 7. c. 102.

choſe eight peers. The Lords Temporal choſe eight biſhops. Theſe ſixteen choſe eight knights of the ſhire, and eight burgeſſes; and to the whole were added eight officers of ſtate. The parliament * 1640, which met during the rebellion, curtailed the powers of the Lords of articles, and they were entirely abrogated at the revolution.

Beſides the Chancellor, who was preſident, the Lord High Conſtable, the Earl Mariſchall, the Lord Provoſt of Edinburgh, the ſheriff of that county, and the publick executioner, were conſtitutional officers of parliament. The clerks of ſeſſion and juſticiary alſo attended. At the beginning of each ſeſſion of parliament, the King, or his commiſſioner, and the three eſtates, rode in ſolemn proceſſion in their parliamentary robes, from the palace of Holyrood-houſe, to the parliament-houſe; and, after that meeting was over, they returned in like manner to the palace, where a royal entertainment was provided †.

Of the Convention of Royal Boroughs.

In the dark ages, the towns in all European nations were held under a ſtate of ſervitude by the kings or nobles; but, in the ‡ eleventh century, ſeveral cauſes contributed to procure many valuable privileges and immunities to the towns of Italy, and the example operated with rapidity over all Europe. The inhabitants of towns were enfranchiſed; they were erected into bodies politick, with a right of being governed by a magiſtracy and council of their own chooſing, and with many other privileges. The erection of royal boroughs in Scotland, is at leaſt as early as David I.; for, in a charter granted by that Prince to the canons-regular of Holyrood-houſe, Edinburgh is ſpoken of as a borough holding of the King, paying him certain annual revenues, and having the privilege of free markets.

The

* Reſcinded acts 1640, c. 3.; William and Mary, parl. 1. c. 3. † See append. No. 6.

‡ Robertſon's hiſt. of Charles V. v. 1. p. 32.

The judgments of the magiſtrates of boroughs were liable to the review of the chamberlain of Scotland, and his court of the four boroughs. This was an officer of great dignity and extenſive juriſdiction. He kept the accompts of the royal revenues and expences; and he held circuits, or *chamberlain-ayres*, (as they were called), in the different boroughs, for the purpoſe of * reviewing the decrees of the magiſtrates, of hearing complaints againſt them for miſmanagement of the publick revenue, and for regulating the police: But the decrees of the chamberlain were themſelves liable to be reviewed by the *court of the four boroughs*. This court, in which the chamberlain preſided, was compoſed of certain burgeſſes of the towns of Edinburgh, Stirling, Berwick †, and Roxburgh, who were appointed to meet annually at Haddington, to decide ‡, as a court of the laſt reſort, upon appeals taken from the chamberlain-ayres, and to deliberate and determine upon all matters reſpecting the common wellfare of any of the royal boroughs. Upon the office of chamberlain being ſuppreſſed, the power of controuling the magiſtrates accompts was veſted in the court of exchequer; that of reviewing their ſentences was left to the ordinary courts of law; and the power which the chamberlain, in his court of the four boroughs, had, of regulating matters reſpecting the common wellfare of that ſtate, was transferred to *the convention of royal boroughs*.

This court was conſtituted in the reign of James III. and appointed to be ‖ held yearly at Innerkeithing. It does not appear, however, from the records of the convention §, that it met earlier than the year 1552. By a ſtatute of James VI. this convention was appointed to meet four times in the year **, in any borough they thought proper; and, to avoid confuſion, it was ordained, that only one commiſſioner ſhould appear for every borough, except Edinburgh,

* *Iter Camerarii.* † When Berwick and Roxburgh were taken by the Engliſh, the boroughs of Linlithgow and Lanark were ſubſtituted in their place. ‡ *Curia quatuor burgorum.* ‖ James III parl. 14. c. 111. § Black on the royal boroughs, p. 42. ** James VI. parl. 5. c. 64.

burgh, which ſhould have two. By a ſubſequent ſtatute, a majority of the boroughs *, or the city of Edinburgh, with any other ſix, were impowered to call a convention as oft as they thought proper, and all the other boroughs were obliged to attend it under a penalty.

From the inſtitution of the four boroughs, the powers of the convention may, in part, be collected. They chiefly reſpect the eſtabliſhment of regulations concerning trade and manufactures; and, to this effect, the convention has † eſtabliſhed, and, from time to time, renewed articles of the ſtaple contract with the town of Campvere. As the royal boroughs pay a ſixth part of the ſum impoſed as land-tax upon the counties of Scotland, the convention is impowered to conſider the ſtate of trade and revenues in the individual boroughs, and to aſſeſs their reſpective proportions of the land-tax, conform to their abilities. This court has alſo been in uſe to examine the conduct of magiſtrates in the adminiſtration of borough-revenues, although this properly falls under the juriſdiction of the court of exchequer, and to give its ſanction, upon proper occaſions, to the town-council of any borough, to alienate a part of its real eſtate. The convention has likewiſe been in uſe to conſider the political *ſet*, or conſtitution of the different boroughs, and to regulate matters reſpecting elections, when brought before them. But in this matter they had paſſed acts extending their juriſdiction in a manner unwarranted by law; the powers of the convention were become very uncertain; and it came at length to be contended, that they could alter the political conſtitution of any borough whatever.

The appetite for power natural to publick bodies, as well as to individuals, joined to an idea of expediency, produced an act of convention ‡, by which it was ſtatuted, that, to remedy the obſcurity and confuſion which aroſe from the great diſcrepancy in the political conſtitutions of the different boroughs, the whole of them ſhould

* James VI. parl. 14. c. 119. † Maitland's hiſt. p. 383. et ſeq. ‡ Records of convention, 4th April 1552.

ſhould be reduced to the ſtandard of that of Edinburgh; but to an order ſo palpably exceeding their powers, no regard was paid. The convention next embraced the idea of forming itſelf into a perpetual ſtanding umpire between * boroughs, enacting, that all differences between borough and borough, ſhould be determined by the convention, to whoſe decrees they were required to ſubmit, without freedom of appeal. By a ſubſequent act, they extended this regulation to all diſputes between burgeſſes among themſelves, reſpecting the election of magiſtrates or counſellors †, their management of the revenues, and other publick concerns. This laſt regulation, however, only required the burgeſſes to have recourſe to the convention, in the firſt inſtance, but did not tie them up from appeal.

The boroughs acquieſced in this order of their head-court, and recourſe was frequently had to the convention, to alter or new model the political conſtitution of boroughs; but this was always done upon ſubmiſſion by the parties, or ſurrender of all their rights into the hands of the convention, for a new *ſet* to be returned to them; and there were inſtances of that court having declined its own juriſdiction, when the conſent of parties to the exerciſe of their authority was wanting. A very late attempt, however, has been made, which, had it ſucceeded, the convention would have been veſted with powers of altering the political conſtitution of any borough whatever. In a borough, whoſe *ſet* was eſtabliſhed by decreet-arbitral, confirmed by immemorial cuſtom, and ratified by an act of the King in privy council, a part of the community, in oppoſition to the reſt, voted a reſolution to apply for the authority of the convention to alter the ‡ *ſet* of the borough. This reſolution was ſtopped by their political opponents, who preſented a bill of ſuſpenſion to the ſupreme court, alledging, among others, that the convention had no powers to alter the ſet of their town; and the court,

* Records of convention, 25th October 1574. † Rec. of convention, A. D. 1706.

‡ The form which directs the mode of chooſing the magiſtrates and counſellors adminiſtrators of a borough, is called, '*the ſet* of the borough.'

after full diſquiſition, found unanimouſly, that no * ſuch powers were lodged in the convention. This judgement of the court of ſeſſion appears to be founded on the moſt obvious principles of law and purpoſes of expediency. When the conſtitution of a body-corporate has been once fixed, the rights ariſing † therefrom, are as inviolable as thoſe of private property; and, therefore, cannot be affected but by authority of parliament. The peace and ſecurity of the conſtitution at large depends upon the ſtability and harmony of the parts of which it is compoſed. If theſe parts are to be regulated by the will of that branch of the community to which they reſpectively belong, and not by the dictates of their charters, we have no ſuch thing as law or a conſtitution; we are no longer governed by law, but by the changeable caprice of men. Nothing but the immutability of the conſtitution can eſtabliſh the harmony and ſecurity of a ſtate. To this any trifling advantages to be reaped from a change ought to be ſacrificed.

The convention of the royal boroughs is in uſe to meet annually at Edinburgh. It is ſomewhat ſingular, that the Lord Provoſt of Edinburgh, although not a member, is their perpetual preſes; the city-clerks of Edinburgh are clerks to the convention. This court ſits commonly four days. During the time that it ſits, the magiſtrates of Edinburgh keep open table for the members of the convention.

Of the General Assembly.

The mode of arrangement, which, to us, appeared moſt natural, led us to give an account of the General Aſſembly, in book ſecond, chapter firſt.

Of

* Merchants of Edinburgh againſt trades, Dalrymple againſt Stodart, Aug. 7. 1778.

† The reader who wiſhes to conſult other authorities reſpecting this matter, is referred to the deciſions, trades againſt guildry of Inverneſs, 10th Feb. 1724; hammermen, &c. againſt weavers, &c. of Glaſgow, 17th Feb. 1775; and to the records of convention for A. D. 1590, 1724, 1741, 1748, 1769.

Of the Court of Session.

During the prevalence of the feudal ſyſtem, an ample territorial juriſdiction was veſted in the barons, or great proprietors of land, a juriſdiction which was not annexed to the perſon, but to the lands. We have ſeen already, that in towns, the magiſtrates poſſeſſed that authority which the barons did in their domains: That, from the magiſtrates, an appeal lay to the chamberlain-ayre, and from the chamberlain-ayre to the court of the four boroughs. In like manner, an appeal lay from the baron * court to the ſheriff, from the ſheriff † to the King's juſticiary, and from the King's juſticiary to the parliament. Along with the judges ordinary, the King in council had a cumulative juriſdiction. The frequency of cauſes brought before them was found troubleſome, and a new court was erected for diſcuſſing thoſe cauſes which formerly uſed to be determined by the King ‡ and council. This court conſiſted of many members of parliament, who ſerved by rotation, and were named by the King. They aſſembled thrice in the year for the ſpace of forty days each, and ſo numerous were the judges who ſerved in rotation, that the vice was ſeldom compleated in leſs than ſeven years. A court, whoſe members were ſo fluctuating, was not found of publick advantage. In its room was ſubſtituted the *Daily Council*, ſo named from its ſitting daily through the year. This court, which was in-

* The reaſon why an appeal lay to parliament, as a court of the laſt reſort, from cauſes originating in the baron-courts, and not in borough-courts, appears evidently to be the following: The biſhops, barons, and freeholders, compoſed the high court of parliament. Originally the boroughs had no place in that aſſembly. The *Curia quatuor Burgorum*, was an earlier inſtitution than the repreſentation of boroughs in parliament. Now, trial by peers was a fundamental principle in the law of Scotland as well as of England; therefore, it was natural to appeal to parliament cauſes concerning the barons, but not the boroughs; for they had no peers there. In the *Curia quatuor Burgorum* were their peers, and, therefore, it was their court of laſt reſort.

† Form and manner of baron courts, c. 15. 16. ‡ James I. parl. 3. c. 65.; James II. parl. 14. c. 63.; James IV. parl. 6. c. 58.

ſtituted by James IV. was alſo defective in its conſtitution, in ſo far as no quorum was named, nor was there any compulſion upon the judges to attend; and in its room the court of ſeſſion was eſtabliſhed, A.D. 1532 *, in form pretty near to that which it ſtill retains. This court was appointed to conſiſt of fifteen ordinary judges, ſeven churchmen, ſeven laymen, and a preſident, whom it behoved to be a churchman. Beſides theſe, the Lord Chancellor had a right to preſide and vote in that court, when he thought proper; and the King might alſo appoint three or four peers of the realm, *extraordinary Lords*, (as they were called), with a power to take their ſeats on the bench, and vote when they thought proper; a privilege which the King never failed to exerciſe. This part of its conſtitution was a great nuiſance. Men, ignorant of the laws in general, and unacquainted with the particular caſes in which they interfered, who had no ſalary for their trouble, and who, on theſe accounts, could not be expected to attend the court, but when inſtigated by perſonal motives, or political views, were not aſhamed to take their place amidſt experienced judges, and to thwart the ordinary courſe of juſtice with their unhallowed voice. This pernicious part of the inſtitution was abrogated ſince the acceſſion of the Houſe of † Hanover. By a ſtatute of James VI. parochial clergymen are forbidden ‡ from bearing any office in this court; and, by one of the reſcinded acts, this prohibition is extended againſt all churchmen whatever. The judges of this court muſt now be choſen from among advocates of at leaſt five, or writers to the ſignet of ten years ſtanding: But, in practice, inſtances of the latter being raiſed to the bench are extremely rare.

The judges in this, as in all ſupreme courts, are in the nomination of the crown; yet James VI. gave the court a power of electing their own preſident; and afterwards made a regulation, that, upon every vacancy in the bench, his Majeſty ſhould preſent to the court a liſt of three

* James V. parl. 5. c 36 *et ſeq.* By miſtake, in the printed copies of the acts, it is called 1537.; Erſkine's inſt. fol. edit. p. 40. † 10. Geo. I. c. 19. ‡ James VI. parl. 8. c. 133.; Reſcinded acts, A. D. 1640. c. 26.

three * perſons, out of whom they ſhould nominate the judge; and, in fact, two judges were inſtalled in this manner: But the King quickly reſumed the exerciſe of both theſe rights. Theſe have, ever ſince, continued with the crown, except during the uſurpation, before which, the parliaments of England and Scotland had gone hand in hand, in ſtripping the King of all his prerogatives, till he was finally robbed of his crown and his life. At that time, the Scots parliament enacted, that the officers of ſtate, and judges of the court of ſeſſion, ſhould be nominated by the King, with advice of the eſtates of parliament; a rule which was aboliſhed at the reſtoration.

In the ſtatute erecting this court, Edinburgh is mentioned as its place of meeting; yet the ſummonſes, (which run in the King's name), in expreſſing the place of meeting †, mention '*Edinburgh, or* '*where it ſhall happen them to be for the time.*' And, in fact, there have been inſtances of their meeting at Linlithgow and Stirling. This court ſits two terms in the year, from the 12th of November to the 12th of March, and from the 12th of June, to the 12th of Auguſt, with an interruption of about three weeks during the Chriſtmas holidays. It is curious to obſerve, that the circumſtance of this court's ſitting in the Chriſtmas holidays, or not, has been a ſure criterion whereby to judge of the dominion of the preſbyterians. Various contradictory regulations have been made concerning this important point.

In thoſe nations, where the feudal law prevailed, the King has been deemed the fountain of juriſdiction. He often ſat in perſon to decide juſtice, and either he, or the judges deputed by him, diſcuſſed all cauſes whatever. There are many inſtances of the Sovereign's ſitting in judgment in Scotland, ſome of them at no very diſtant aera. As, by the antient law, the accuſed might either purge themſelves by an aſſize, or by judicial combat; if they choſe the latter,

* James VI. parl. 6. c. 93. act of *ſederunt*, 26th June 1593.; Reſcinded acts 1641, c. 15. Charles II. parl. 1. c. 2.

† James V. parl. 5. c. 37.

latter, the battle was urged in preſence of the King, his juſticiary, or the Lord High Conſtable, who decided upon the iſſue of the conteſt. A decree of * King Robert Bruce, A. D. 1312, is preſerved, in which the King adjudged a coat of arms to William Harding an Engliſhman, upon the pretenſions to that coat having been decided before the King, by ſingle combat, between Harding and William de Saintlowe, a Scotſman. Nay, ſo late as the reign of James V. there is an † inſtance of judicial combat having been decided before that monarch. In few nations of Europe, the Sovereign retained his judicative authority ſo long as in Scotland. He preſided in the tribunal, in the ordinary courſe of juſtice, after judicial combats had become unfrequent. In the reign of James III. a trial for high treaſon is preſerved, in which the King ſat as judge ‡, and the Lords of parliament formed themſelves into a jury; and, in that of James VI. that Prince preſided in the court of ſeſſion in ſeveral inſtances: In one eſpecially, where he and Sir William ‖ Douglaſs of Glenbervie, were competitors for the eſtate of Douglaſs, and in which the Sovereign, who preſided in the court, had judgment pronounced againſt him.

The court of ſeſſion was erected by James V. into a body-corporate, to be called the *College* § *of Juſtice*. It conſiſts not only of the judges, but alſo of the advocates, writers to the ſignet, clerks of ſeſſion, and ſome others. They are endowed with many valuable privileges. They are not ſubject to the juriſdiction of any inferior judges. They are exempted from paying the taxes impoſed upon the inhabitants of Edinburgh for miniſters ſtipend, and from paying of impoſt on liquors, and performing any ſervices within the borough:

* Accompts of the Chamberlain of Scotland publiſhed by John Davidſon, Eſq; appendix 2. No. 2. † Drummond's hiſt. p. 105.

‡ Upon this trial, Lord Kaimes obſerved, that the Lords of parliament were both judges and jurymen; but we preſume the King to have been judge, the Lords of parliament the jury. The reader will judge from the trial, appendix, No. 9.

‖ *Craig, Jus Feudale, lib.* 3. *dieg.* 7. § 12. § James V. parl. 5. c. 36. 68. Mary, parl. 6 c. 39. Charles II. parl. 2. ſeſſ. 2. c. 8. Act of ſederunt, 23d Feb. 1687.

borough: Nay, by ſeveral ſtatutes, they are exempted from paying land-tax, and from all publick taxes and contributions whatever; a privilege which, indeed, they have not exerciſed ſince the revolution.

The Court of Seſſion poſſeſſes a juriſdiction, and exerciſes powers ſo extenſive, as not to be exceeded by thoſe of any tribunal in a free country. This plenitude of power is owing to a variety of circumſtances, which we ſhall endeavour to explain. They poſſeſs a ſupreme civil juriſdiction, liable, however, ſince the union, to the review of the Houſe of Lords, a mark of ſubjection which, before that, was not impoſed upon them; for, by the law of Scotland, no appeal * lay from the Court of Seſſion to the parliament. They do not judge maritime nor conſiſtorial cauſes, nor thoſe which are proper to a court of freeholders, or the Lord Lyon, in the firſt inſtance; but the decrees of theſe different courts are ſubject to their review. They poſſeſs a criminal juriſdiction †, not only in thoſe matters which may ariſe incidentally in civil cauſes, ſuch as perjury and forgery, but alſo in the crimes of uſury, deforcement, wrongous impriſonment, fraudulent bankruptcy, and others; and, although they cannot indeed puniſh capitally, yet whipping, impriſonment, pillory, *nailing the ear to a poſt*, and perpetual ‡ baniſhment, are claſſed among the number of their puniſhments.

The chief circumſtances which make their power important, and may ſome day render it formidable, is, that they are judges both of law and of fact; that neither in their civil nor criminal capacity do they ever hold trials by jury. This material circumſtance is clearly an innovation in the law of Scotland. The ‖ old laws and ſtatutes every where make mention of trial by jury, in matters civil, as well

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* See a diſquiſition concerning this matter Book 1. c. 4. *prop. fin.* † Mary, parl. 6. c. 47.; James VI. parl. 7. c. 118.; William, parl. 1. ſeſſ. 6. c. 5. ſeſſ. 6. c. 6.; Officers of ſtate againſt Courie, 2d March 1611. ‡ Acts of ſederunt, 8th January 1736, 23d February 1739, 28th July 1739, 18th February 1747, 26th February 1762. ‖ Regiam Majeſtatem, lib. 1. c. 12.; Quon. Attach. c. 32. 67.; Statuta Alexandri II. c. 3.; Statuta Roberti III. c. 1.

as criminal; that of trial by peers * was in both nations, what it ſtill continues to be in England, a fundamental law of the country. An ingenious author has conjectured, that, whenever trials came to be held, not by one, but by a plurality of judges, the uſe of juries was deemed † ſuperfluous, as it was thought, that a truſt might be repoſed in a multitude of judges, which could not ſafely be veſted in one; accordingly, that, when cauſes which were in uſe to be tried by the Chamberlain, or juſticiary, came to be diſcuſſed by the King and council, trial by juries was ſuperſeded: That the original Court of Seſſion, which was inſtituted A. D. 1425, to relieve the King and council, and which was very numerous, would naturally adopt the forms of the court to whoſe authority it ſucceeded; and that the court *of daily council*, and the preſent *college of juſtice*, which ſucceſſively were ſubſtituted in its room, would imitate the ſame example. In ſupport of his hypotheſis, the ſame author has obſerved, that the intervention of a jury was never uſed in parliament: And, accounting for juries being alſo diſuſed in cauſes before the ſheriff, after obſerving, that this mode of trial, in ſheriff-courts, is mentioned in a ſtatute A. D. 1587, he has attributed the innovation to the appetite for power, and deſire of imitating our ſuperiors, having produced that encroachment. He confirms his opinion, by a diſcovery, that, in the moſt remote county of Scotland, trials by jury had not gone into deſuetude in the ſheriff-court, ſo late as the year 1604. From the general proceedings of the Court of Seſſion, as well as the conduct of the Lords of Juſticiary, in the caſes of Caldwall, Drummond, and M'Donald, it would appear ‡, that the ſupreme judges in Scotland are extending, both in their

* The *brief of inqueſt*. A branch of that cuſtom, in civil matters, ſtill remains; without it, no body can be ſerved heir to a perſon dying inteſtate. † Kaimes's Law Tracts, p. 270. 274.

‡ In the caſe of Caldwall, the priſoner was charged with a robbery. He pled lunacy. The court took trial of his inſanity by witneſſes, and pronounced his madneſs affected. Then the fact of the robbery was remitted to an aſſize, was found proven, and the priſoner

their own and in the inferior judicatories, the latitude of trial without jury.

In virtue of an act, impowering the Court of Seſſion to make ſtatutes for regulating of proceſs * agitated before them, and for the ſpeedy execution of juſtice, they exert a ſpecies of legiſlative authority. For, in what they call their *acts of ſederunt*, they not only regulate the form and manner of proceeding before the court, but pronounce edicts which, it appears, acquire a ſanction from no leſſer authority than the legiſlature. For inſtance, beſides making an act of ſederunt, that their own ſalaries ſhould not be liable to arreſtment, which, it may perhaps be pretended, was but declaratory of law, they enacted, that all bankrupts ſhould continually wear an upper-coat, whereof the one half to be of yellow cloth, and the other of brown, and upon their head a cap of the ſame ſort. That, if the magiſtrates of royal boroughs ſhould permit priſoners for debt to retire beyond the walls of their priſons, without a certificate of their being in extreme danger of life, the magiſtrates ſhould be made liable for the debts of the priſoners, although they returned to durance. They have frequently fixed the prices of proviſions, and have given authority to magiſtrates to compell all inn-keepers, and dealers in poultry, to declare, upon oath, at what prices they had ſold poultry †, dreſſed or undreſſed; ſo that it might be diſcovered whether the ſtandard prices were conformed to. Upon the death

ner condemned and executed. The caſe of Drummond, the printer, has been already mentioned, Book 3. c. 4. In that of M'Donald, the priſoner was brought before the court, as being one of the perſons mentioned in the act of attainder, paſſed in the 19th year of George II. and ſentence of death was craved to be awarded againſt him. He pled, *that he was not the perſon mentioned in the act of attainder*: That, ſuppoſing him to be one of the perſons meant, the condition under which the act of attainder took place never exiſted; for the priſoner had ſurrendered himſelf within the time limited; and he craved, that the facts might be tried by a jury. This the court refuſed; and they pronounced ſentence of death againſt him: But he was ſaved by royal mercy; Records of juſticiary, 15th July 1737, 11th March 1754.

* James V. parl. 7. c. 93. † Acts of ſederunt, 27th February 1662, 26th February 1665, 15th January 1669, 14th June 1671, 3d November 1742, 17th July 1744.

of commiſſaries in the eccleſiaſtical courts, and of ſheriffs-depute, they have been in uſe to grant commiſſions to perſons to exerciſe theſe offices, till they were of new filled up by the crown. Theſe, however, were, comparatively ſpeaking, trifling exertions of authority. The manner of removing from lands tenants continuing poſſeſſion after their leaſes were expired, was regulated by expreſs ſtatute, *not gone into deſuetude, but in full and daily force.* As inconveniences were felt from the mode laid down * by act of parliament, the Lords of Seſſion, by their own authority, made an act of ſederunt, impowering proprietors of land to purſue a different and more ſummary mode of removing than that preſcribed by ſtatute.

Upon the diſturbances which happened in Scotland on the commencement of the malt-tax, the court aſſumed a high tone of authority. As this tax was deemed very oppreſſive, it excited tumults in many parts of Scotland. But, in Edinburgh, there were no diſturbances, unleſs a reſolution which was begun to be formed by the people, not to drink ale at an advanced price, and by the brewers to give up their buſineſs, as no longer profitable, ſhall be deemed ſuch. The Court of Seſſion made an act of ſederunt, ordaining, that no ale ſhould be ſold under two-pence the Scots pint. Upon an information being preſented by the Lord Advocate againſt the brewers, that they intended, in a body, to relinquiſh their employment, the court ordered the whole perſons complained upon, to the number of a hundred and fifty and upwards, to continue their buſineſs till the firſt of November † enſuing, in the manner they had reſpectively carried it on for a month paſt. They further required the whole brewers to appear before them next day, and to bind themſelves to carry on their buſineſs in the manner, and for the time preſcribed, under the penalty of L. 100 Sterling each. Mean time a petition was preſented on behalf of the brewers, who appeared

* Mary, parl. 6. c. 39.; Act of ſederunt, 14th December 1756. † Unprinted acts of ſederunt, 8th, 29th, 31ſt July 1725; Edinburgh Evening Courant, 8th, 29th July, 9th 23d, 24th, 26th Auguſt 1725.

ed next day in court, agreeably to the citation, but refuſed to bind themſelves in the terms preſcribed. The court renewed the order upon the brewers, proroguing the time for their compliance till the 10th of Auguſt, and ordaining all thoſe who, at the time ſpecified, ſhould ſtill be found refractory, to be incarcerated till the firſt of November. As for the brewers petition, the Lords rejected it, ordered it to be kept by one of the clerks of ſeſſion, as a document for the proſecution and puniſhment of its * authors, prohibited any copies of it from being made, except an atteſted one, to be given to the Lord Advocate; and, at the ſame time, they ſent a very low retainer to the court with a written order, which was to be read in all the printing-houſes in Edinburgh, (but no copies of it to be left), diſcharging the printing or publiſhing any copies of the petition. The brewers *ſtill* continuing refractory, ſeveral of them were incarcerated; but, as they obſerved that ſome of their brethren were carrying on the buſineſs, thoſe who were in confinement alſo became

* The proceedings of the court upon this occaſion are very imperfectly recorded in their books of ſederunt. No mention is made of a petition having been preſented for the brewers, and the order for burning it is omitted. It is preſerved in the Edinburgh Evening Courant of the 2d Auguſt, in theſe words: 'Edinburgh, July 30. Whereas, the Lords 'of Council and Seſſion have, by their interloquitor of this date, found a petition pre-'ſented to them by certain brewers, to be falſe, ſcandalous, and ſeditious, and filled with 'poſitions that endeavour to pervert, and are flatly contradictory to law, tending to pro-'mote oppoſition and diſobedience to his Majeſty's government, and highly reflecting on 'the authority and juſtice of this court, and exciting diſtruſt thereof among the people, 'and therefor rejected the ſame, and ordained a copy thereof furthwith to be burned by 'the hand of the common hangman at the croſs of Edinburgh; and appointed and re-'quired the magiſtrates of the ſaid city to ſee the ſame put in execution. And, in regard 'there remained not ſufficient time for the court to proceed fully upon it this ſeſſion, or-'dained Sir John Dalrymple, his Majeſty's clerk, to keep the principal petition, to the 'end further directions might be given for detecting, proſecuting, and puniſhing, accor-'ding to law, the authors, adviſers, abetters, and ſubſcribers thereof. And diſcharged 'the ſaid clerk to give out any other copy of the ſame, excepting one, which he was 'thereby required to give to his Majeſty's Advocate atteſted. Theſe are therefor appoint-'ing and requiring the magiſtrates of the city of Edinburgh to ſee the copy of the ſaid 'petition herewith delivered, furthwith burned by the hand of the common hangman at 'the mercat-croſs of Edinburgh, as aforeſaid. Signed HEW DALRYMPLE, J. P. D.' The petition, which was the ſubject of this angry edict, is not to be recovered; Edinburgh Evening Courant, from 29th July to 2d Auguſt 1725.

bound for their compliance, and, in conſequence, were ſet at liberty. His Majeſty being then abroad, the Lords of the regency ſent a letter to the Court of Seſſion, expreſſing * the warmeſt thanks for, and higheſt approbation of their proceedings.

Theſe acts of authority, as well as their deciding both as a court of law and of equity, are, (it is ſaid), exertions of the *nobile officium*, which it is alledged is inherent in the ſupreme judicatory of every country, but more particularly veſted in the Court of Seſſion, by the act impowering them to make ſtatutes for the ſpeedy execution of juſtice. This *nobile officium* muſt contain ſome magick influence, of which, like a taliſman, the virtues of it are only known to the ſage who prepared it. For, no definition that we have † heard of the *nobile officium*, no interpretation which the ſtatute pled upon can bear is equal to the exertions of authority manifeſted by this court. A celebrated writer has ſuppoſed, that the court did not exert this ample authority ‡, nor decide upon principles of equity, till about the middle of the laſt century. But the paſſage from which he has drawn this inference, leads us, on the contrary, to conclude, that the court has proceeded in this manner from its firſt conſtitution; and that, at the time alluded to, the judges, feeling the inconveniency which attended ſo precarious a ſyſtem of deciding, had reſolved, for the future, to confine their deciſions within the dictates of common law; a reſolution which the natural love of power, or perhaps the recurring idea of hardſhips, ariſing to individuals from an uniform adherence to the common law, led them quickly to renounce. We are

* Unprinted acts of ſed. 2d Nov. 1725. † On this head, ſee Aliciati op. v. 1. p. 93. ſect. 39. v. 2. p. 381. ſect. 12. v. 3. p. 681. ſect. 53. p. 682. ſect. 55. 56.; Lexicon Jurid. Calvin. in voce Nobile Officium; Corp. Jur. Civ. D. lib. 1. tit. 3. l. 12. 13. C. lib. 1. tit. 14. l. 1.: James V. parl. 7. c. 93; Introduction to Kaimes's Principles of Equity; Bankton's Inſtitutes, in tit Juriſdiction of the Court of Seſſion. ‡ The paſſage is taken from an unprinted act of ſederunt, 27th November 1592, in theſe words: 'That, *in time* 'coming, they will judge and decide upon clauſes, &c. preciſely according to the words 'and meaning of the ſame.' Which is, in as many words, that, previous to this act, they had done otherwiſe; Principles of Equity, p. 50.

are confirmed in this opinion, by the alarming ideas of their power which Buchanan conceived *.

It has been already obſerved, reſpecting the judicative capacity of this court, that they act both as judges and jury. They are a court both of law and equity; therefore, it muſt neceſſarily happen, that they decide ſometimes on the principles of the one, ſometimes of the other; and as, when no invariable rule is obſerved, different men muſt frequently conceive different notions of the importance of a point of form, it happens, that the appointed forms of proceedings before the court, are ſometimes adhered to, and ſometimes not; ſo that, in a caſe where there is any diſcrepancy between law, equity, and form, it is impoſſible to pronounce before hand, with a high degree of probability, upon the deciſion of the court. There are ſtill other circumſtances which conſpire to increaſe their latitude in giving judgment, and to render the iſſue of trials before them more uncertain. By the Scots law, acts of parliament may go into deſuetude; ſo that, in bringing an action upon a ſtatute, it comes ſometimes to be debated, whether the act libelled on be in force or not. Nay, it comes frequently to be a matter of queſtion, whether certain Britiſh ſtatutes extend to Scotland.—Such is the importance of her repreſentatives, and ſuch their attention in conducting the buſineſs of parliament. If there are two or more points in a cauſe, ſometimes the court decides the controverſy by one general vote upon the matter at iſſue. At others, they will have as many votes upon the cauſe, as there are points and branches in it; ſo that a perſon

* The following paſſage was probably written about A. D. 1580. 'Ab iis, (ſays that 'celebrated hiſtorian), cum ab initio multa utiliter eſſent excogitata, ut jus aequabile dice-'retur, tamen qui ſperabatur eventus non eſt conſecutus. Nam, cum in Scotia nullae 'pene ſint leges, praeter conventuum decreta, eaque pleraque non in perpetuum, ſed in 'tempus facta, judicetque, quod in ſe eſt, lationem legum impediant, omnium civium bona 'quindecem hominum arbitrio ſunt commiſſa, quibus et perpetua eſt poteſtas, et imperium 'plane tyrannicum, quippe quorum arbitria ſola ſunt pro legibus;' Buchanani op. v. 1. p. 273.

ſon may convince *eight judges out of eleven*, that his antagoniſt's * claim is ill founded, and yet that claim be ſuſtained.

It is a misfortune attending the mode of conducting buſineſs before this court, that its multiplicity is rendered ſo great, as to make it impoſſible for the judges to do their duty, without ſubjecting themſelves to ſlaviſh drudgery. In this court, there are a preſident and fourteen other judges. Each of the fourteen ſits for a week alternately in the *Outer Houſe*. The judge ſo ſitting, is called the *Lord Ordinary*; and, except certain cauſes, of peculiar intricacy and importance, which can only be brought before the whole Lords, he diſcuſſes all cauſes that are put in the roll, during the week that he ſits in judgment. Theſe cauſes are ſeldom determined upon a ſingle hearing, and the judge has a power of altering his own ſentence as often as he inclines. Each of the Lords comes once or oftener in the week, to the Outer Houſe, to hear pleadings, or give judgement upon thoſe cauſes which came firſt before him when he ſat as Lord Ordinary; and, upon which, many written caſes, or *repreſentations*, (as they are called), may have already been laid before him. If the parties do not acquieſce in the Lord Ordinary's judgment, which, in matters of any

* This is no figurative caſe, but one which actually happened within theſe three years, and, in effect, decided the election of knight of the ſhire for the county of Fife, in the preſent parliament. The perſon who was returned by the ſheriff, as duly elected, had a majority by one voice, in conſequence of an addition made to the roll of freeholders on the day of election. The other candidate complained to the court, that one of the perſons, then admitted as a freeholder, had no qualification, and, therefore, fell to be expunged from the roll, and that for two reaſons then alledged. Out of eleven judges, who were then on the bench, eight declared their opinion, that the qualification *was bad*, five, in reſpect of the one objection urged for the plaintif, and three, in reſpect of the other. One judge ſpoke in favour of the defendant, and two were ſilent. The defendant's counſel inſiſted, that the objections to the qualification ſhould be voted ſeparately. It was done ſo accordingly; and the firſt was over-ruled by eight to three, the ſecond, by ſix to five; and thus the qualification was ſuſtained, while, out of eleven judges, eight thought it bad. Upon this occaſion, there was another circumſtance concerning the judgment of the court yet more extraordinary; but we do not chuſe to repeat it; Deciſiions of the Court of Seſſion; Henderſon againſt Dalrymple, 7th March; and petition for Mr Henderſon, 8th March 1776.

any importance, is always the caſe, application is made for altering the ſentence, by a printed petition, which is preſented before the whole Lords. Beſides petitions, various printed papers are produced, under the titles of ſtate, caſe, proof, information, anſwers, replies, and duplies; yet, notwithſtanding theſe voluminous papers, the Lords will often hear pleadings in the ſame cauſe, and theſe commonly very prolix, often taking up the court a whole week, ſometimes three weeks. Conſidering the copiouſneſs of the printed papers which are laid before the judges, to have both theſe, and pleadings in the ſame cauſe, we apprehend to be, in general, ſuperfluous, and to be a great waſte of time: For it muſt be obſerved, that every judge, beſides his buſineſs as Lord Ordinary, as one of *the fifteen* has to review all the deciſions complained upon, that have been pronounced by the other thirteen ordinary judges.

The ſalaries of the Lords of Council and Seſſion (for that is their title) is ſmall when compared to their trouble and their rank. That of the Lord Preſident uſed to be L. 1300 a-year; but, in the year 1769, an addition of L. 300 was made, during the life of the preſent Lord Preſident, and it will probably be continued to his ſucceſſors in office. The other judges, as Lords of Seſſion, have a ſalary of L. 750. One of them, as *Lord Juſtice Clerk* *, has L. 500 more, and five of the other judges have L. 200 each, as *Lords Commiſſioners of Juſticiary*, beſides a ſum equivalent to paying their expences, when going the circuits. The Lord Advocate, an officer ſimilar to the Attorney General in England, but with much higher powers, has a ſalary of L. 1000; the Solicitor General of L. 400; and four of his Majeſty's advocate's-depute, of L. 100 each. There are ſix principal clerks of ſeſſion, whoſe offices are worth from L. 400 to L. 500 each, beſides as many depute-clerks, and other inferior officers.

Of

* i. e. Preſident of the Court of Juſticiary, in abſence of the Lord Juſtice General.

Of the Court of Justiciary.

It has been already explained, that the *Juſtice-ayre*, or Court of Juſticiary, was the ſupreme court, civil as well as criminal, over the barons, and thoſe reſiding within their domains. After the original Court of Seſſion was inſtituted, it ſtill retained its civil juriſdiction; but, upon the erection of the College of Juſtice, the authority of the Court of Juſticiary was reſtricted to criminal affairs. The judges were the Lord Juſtice General, Juſtice Clerk, and certain aſſeſſors added to them by the Privy Council, who were choſen from among perſons not verſant in the laws, and whoſe commiſſions only laſted during the particular trials upon which they were appointed to preſide. A conſtitution * ſo highly improper, was altered by Charles II. and the court modelled into its preſent form. It now conſiſts of the Lord Juſtice General, who is always a peer of the moſt diſtinguiſhed rank or influence, the Lord Juſtice Clerk, and five Commiſſioners of Juſticiary, who are alſo Lords of Seſſion. The office of Lord Juſtice General, bears a ſimilar relation, in the Court of Juſticiary, to that of one of the extraordinary Lords formerly in the Court of Seſſion, and, like theſe too, ought to be aboliſhed †.

The

* Charles II. parl. 2. ſeſſ. 3. c. 16.

† We apprehend there was no ſyſtem of liberty in Scotland till the union. Since that, we know but of three trials in which the Lord Juſtice General preſided. They were all political. In all of them, government exerted itſelf to make the priſoners objects of exemplary puniſhment. The firſt was that of the Glaſgow rioters; and in it, the Lord Juſtice General entered his diſſent and proteſt againſt the opinion of the ordinary judges, in finding that the rioters were not ſubject to a capital puniſhment. The ſecond was that of Provoſt Stewart already mentioned. The third was that of James Stewart of Aucharn, for the murder of Campbell of Glenure, the only trial that we know of, in which a Lord Juſtice General, and Lord Advocate, condeſcended to go upon a circuit. A trial, in which government was ſuppoſed to have exerted its utmoſt influence to procure a conviction of the priſoner; and in which, upon his conviction, the Lord Juſtice General addreſſed him in a moſt inſulting ſpeech; a ſpeech, which, far from being expreſſive of generoſity and compaſſion, breathed an ardent ſpirit of political hatred and reſentment. Rec. of Juſt. 4th Oct. 1725.; Printed trial of James Stewart of Aucharn, A. D. 1753.

The Court of Juſticiary has a ſupreme juriſdiction in criminal affairs. The decrees of ſheriffs, and other inferior criminal courts, as well as thoſe of the Court of Admiralty, are liable to its review. It has been doubted, how far the decrees of the Court of Juſticiary itſelf, are ſubject to the review of the Houſe of Lords. This is a matter of great importance; and, in ſo far as may be conſiſtent with the deference due to the reſpectable perſons who entertain oppoſite notions, we deliver our opinion without diffidence or reſerve, 'That *an appeal lies from the Court of Juſticiary to the Houſe of Lords.*'

The decrees of the antient court of King's Juſticiary, or Juſtice-ayre, from which the preſent court has, after ſeveral changes, been modelled, were ſubject to the review of parliament. That court took cognizance of cauſes both civil and criminal, *and theſe too by jury.* After the inſtitution of the College of Juſtice, when the King's Juſticiary no longer meddled with civil cauſes, we find * King James V. taking the opinion of parliament, upon a criminal trial, depending before that judge. Even ſince the erection of the court into its preſent form, frequent inſtances of the reverſal of ſentences of † *forfeiture* occur in the parliamentary proceedings. But further, an appeal from the Court of Juſticiary was actually received by the Houſe of Lords, A. D. 1713 ‡, and the judgement of that court reverſed. In a late caſe, where a petition of appeal, preſented from that court, was diſmiſſed, it was only found, 'That the ſaid petition ‖ and appeal, was not properly brought;' nothing was decided reſpecting the general point.

The ſtreſs which is laid upon no inſtances of appeal being to be found from the Court of Juſticiary, as preſently modelled, to the Scots parliament, is over-balanced by other conſiderations; beſides, it is eaſy to explain why there were none. Appeals from the ſupreme civil court were not admitted after the inſtitution of the Col-

* James V. parl. 6. c. 69. † i. e. conviction of high treaſon. ‡ Law Tracts, p. 276. ‖ Maclaurin's caſes, p. 581.

lege of Juſtice, down till the revolution. In that period of a hundred and fifty years, appeals from the Court of Seſſion were only thrice attempted, and each attempt was rejected: Therefore, by a parity of circumſtances, people would be led to acquieſce in the ſentences of the ſupreme criminal court. Beſides, the Court of Juſticiary was very ſubmiſſive to government, its decrees were engines of oppreſſion, the court uſed often to remit the jury, ordering them to amend their verdict. Now, it was in vain to think of obtaining relief from parliament, againſt an iniquitous ſentence of that court, if procured by the influence of the crown; becauſe, the Lords of articles might put a negative upon hearing of the cauſe; and, if the Lords of articles failed to do it, the King's commiſſioner might himſelf do it. Further, the Privy Council, which was, indeed, a moſt tyrannical court, uſed to interfere with the ſentences of the Court of Juſticiary, ſometimes by mitigating them, ſometimes by remitting the puniſhment entirely, and at others, by ordering no ſentence to paſs upon the verdict of the jury: Nay, there is an inſtance of the Court of Seſſion ſuſpending and reviewing a decree of the Lord Juſtice General, although it was * expreſsly pled, that he was ſupreme in criminal affairs; and, therefore, the juriſdiction of the court declined.

Every argument which can be drawn from analogy, or from the foundation of appeals, favours our hypotheſis of an appeal lying from the Court of Juſticiary. The decrees of the Courts of Seſſion and Exchequer, in ſhort, of every ſupreme court in Britain, are ſubject to the review of the Houſe of Lords. It would require then, ſome very expreſs law to exempt the Court of Juſticiary from a juriſdiction to which all other courts of the ſame rank in the nation are ſubjected. The foundation of all appeals ſeems to be, that a ſuperior and ſupreme court is both poſſeſſed of higher wiſdom, and not expoſed to that undue influence which may be ſuppoſed to have operated in an inferior court; and that, as all inferior courts are limited

* Stair's deciſions, 16th December 1664, Innes.

mited in their juriſdiction, either in reſpect of territory, or of the cauſes brought before them; ſuch as civil, criminal, maritime, &c. a challenge is competent, that the court which pronounced the decree, had no juriſdiction. We hold, therefore, that the decrees of every court, which has not an univerſal juriſdiction, muſt be ſubject to review. We have already remarked a caſe in which the Court of Seſſion ſuſpended and reviewed a decree of the Court of Juſticiary. Let it be ſuppoſed, that the latter had inſiſted upon its judgment being inforced, and that no obedience was due to the interdict of the Court of Seſſion, (which it appears would have been well founded), there would have been no poſſibility of deciding upon the pretenſions of the courts, but by appeal to the Houſe of Lords.

An appeal muſt be founded, either upon a court having exceeded its juriſdiction, upon ſome informality in the proceedings; or, upon wrong being committed by ſome falſe finding in law or in fact. Now, in all of theſe, the laſt excepted, ground of appeal *may* be given by the Court of Juſticiary: Nay, in one of the caſes already noticed, that of Macdonald of Bariſdale, the only trial before that court, for high treaſon, ſince the acceſſion of the Houſe of Hanover, the court not only decided without a jury, but alſo refuſed the priſoner a proof of facts, which, if he had made good, we apprehend no jury in the nation would have convicted him.

It cannot be, upon the head of trials before this court, being taken by jury, that it is argued appeals ſhould be refuſed; for this, in England, would tend to exclude almoſt every appeal: Beſides, the Court of Juſticiary is in uſe to review the ſentences of other courts, ſuch as thoſe of ſheriffs and of the* Admiralty, which have proceeded

* Maclaurin's caſes, p. 75. 80. In one of the caſes alluded to, the Judge-admiral ſentenced two men to be hanged. The convicts applied to the Lords of Juſticiary for a review of the ſentence. The court, accordingly, pronounced an interdict. The Judge-admiral was of opinion, that the court had no juriſdiction; and, notwithſtanding the interdict, iſſued orders to the magiſtrates of Edinburgh to put the ſentence in execution; but the magiſtrates did not think proper to yield obedience.

upon the verdict of a jury. And further, the ſentences are often not ſupported by the verdict of a jury; for inſtance, when the verdict returned is ſpecial, and conſequently the guilt is fixed by the court; when there is any informality in the proceedings of the jury, which ought to vitiate and annull their verdict; or, when the court proceeds to judge altogether without jury. If the caſe of Drummond the printer is to be made a precedent, and any pamphlet, offenſive to government, ſhould make its appearance, there is nothing to hinder the Lord Advocate from libelling the ſuppoſed author or printer before the Court of Juſticiary, nor to prevent that court from convicting the priſoner without a jury, and finding him liable in pecuniary penalties, or ſentencing him to pillory and baniſhment.

It cannot be on account of the want of importance of the cauſes tried before this court, that it is pretended no appeal lies from it; for what ſo ſacred, as life, honour, property, and poſterity? Neither can it be upon the infallibility of the judges, either real or ſuppoſed; for, if it is ſuppoſeable, that the judgment of a majority of the Court of Seſſion may be erroneous, ſurely that of any ſingle *judge in the number may be ſo: And, within a period of three years, in a matter of life and death, the judgments of the Court of Juſticiary at Edinburgh, and † of

* The judges of juſticiary muſt all be Lords of Seſſion. Any one Lord of Juſticiary can hold a circuit court; and it has been found by a late deciſion, that the judgment of the circuit courts are not liable to be reviewed by the Court of Juſticiary. Records of juſticiary, 11th July 1763.

† In the caſe of Janet Ronald, indicted A. D. 1763, for poiſoning her ſiſter, one of the jurymen fell ſuddenly ill, and the trial was adjourned. Next morning, the jury were incloſed, and returned a verdict, finding the priſoner guilty. But, upon its being pled in arreſt of judgment, that the verdict was null, and that no ſentence could paſs upon it, in conſequence of the jury not having been conſtantly kept together from the beginning to take the evidence, till they had pronounced a verdict, the court diſmiſſed the priſoner from the bar. But, in the caſe of Helen and William Keith, indicted for parricide before the circuit court at Aberdeen A. D. 1766, a caſe in which the evidence was ſo lame, that, although it created a preſumption, it afforded no legal proof of guilt, one of the jurymen went out of court into the open ſtreets; yet the ſingle judge who was on the trial, notwithſtanding

of the Circuit Court at Aberdeen, in ſimilar caſes, were directly oppoſite.

There is ſtill an additional reaſon why appeals ſhould lie from the Court of Juſticiary. There is no determined ſyſtem of criminal juriſprudence in Scotland. It is a matter of doubt what is a crime in the eye of her law, and what not, alſo what is the puniſhment annexed

withſtanding the precedent, and alſo an act of parliament, over-ruled the objection, and condemned the priſoners: But his Majeſty granted them a pardon.

But, further, not to compare the decrees of the juſticiary with thoſe of the circuit, but thoſe of the juſticiary with each other, it was found, A. D. 1754, in the caſe of Robert Lyle, who was convicted of theft and houſe-breaking, that two jurymen, going out of the court-houſe, in the midſt of the trial, to the diſtance of about fifty yards, where they got a refreſhment of wine and biſcuit; and two more of the jurymen going to a tavern about the like diſtance, and there joining a company, drinking ale and punch with them, and chaffering about the leaſe of a farm, did not vitiate the proceedings. The caſe of Janet Ronald is mentioned above. *Now, from theſe, it follows incontrovertibly, either that, in in A. D.* 1754, *a perſon, convicted of theft, ſuffered death, in conſequence of an illegal ſentence of the Court of Juſticiary; or, that in* 1763, *a woman, convicted of poiſoning her ſiſter, was acquitted, by an illegal ſentence of the ſame tribunal.* And, in the caſe of William Wood, tried at the circuit court of Jedburgh, 27th May 1776, for entering a houſe, and ſtealing ſome pieces of cloth out of an open cheſt, when the clerk of court was going to incloſe the jury in the uſual manner, as the acts directed, James VI. parl. 11. c 91.; Charles II. parl. 2. ſeſſ. 3. c. 16. the judge told them, 'That the caſe was clear; that there was no neceſſity for incloſing 'at all; and that Mr ****, (naming one of the jury), was a proper perſon to be their 'foreman.' Not only were his Lordſhip's directions obeyed, but the jury, after making out a verdict, finding the priſoner guilty, *ſhowed it to the counſel for the proſecutor, and aſked his opinion if it was a proper verdict.* Although, on theſe accounts, the verdict, beyond diſpute, was null, the judge pronounced ſentence of tranſportation for life againſt the priſoner, and alſo adjudged him to ſlavery for three years. In this caſe, a remedy was attempted, by a bill of ſuſpenſion, or application for an interdict, preſented to the Court of Juſticiary. Not only, for the reaſons already mentioned, but becauſe the ſentence of tranſportation to the Colonies could not take place, as they were in a ſtate of rebellion, and that, if he was confined till an opportunity ſhould occur, of tranſporting him thither, his ſentence might turn out to be perpetual impriſonment. But no relief could be granted; for it was found incompetent to bring the ſentence of a ſingle judge upon a circuit under the review of the whole Lords. In this, as in the caſe of Keith, his Majeſty extended the royal mercy; Records of juſticiary, 20th December 1753, 18th January 1754, 11th July 1763, 4th February 1777; Printed trial of Helen Watt and William Keith, 1766.

annexed *. The libels conclude, that the priſoner, upon being convicted, ought to be puniſhed with *the pains of law*. Before an indictment goes to proof, it is always aſcertained, indeed, whether a capital ſentence can follow upon conviction; but, in caſes not capital, the degree of puniſhment to be inflicted generally remains at the diſcretion of the court. The indictments are ſometimes laid upon the ſtatute law, ſometimes on the civil, ſometimes on the Levitical. The Scots ſtatute-book is full of unrepealed laws, abſurd, tyrannical, and oppreſſive; and, (as has been already obſerved), it becomes a matter of debate, whether they are gone into deſuetude. There is no profeſſed treatiſe on the criminal law of Scotland, that either is, or ought to be conſidered as an eſtabliſhed authority. Now, in theſe circumſtances, to exclude all remedy by appeal, againſt the ſentences of this court, much more of a ſingle judge upon a circuit, would, in our opinion, be to prevent redreſs of thoſe wrongs, which, from the frailty or depravity of mankind, may be committed in the diſpenſing of juſtice.

In a country where ſuch anxiety has been ſhown to guard againſt oppreſſion from the crown, it ſurely will not be ſaid, that the liberty of petitioning for royal mercy is a ſufficient remedy againſt iniquity. Alas! although we live at preſent under a mild and gracious Prince, it muſt not be forgotten, that, from the influence of the crown, the chief danger is to be dreaded. 'Can a man, † (as is well 'ſaid by a writer on this ſubject), expect juſtice from his party, or 'mercy from his enemy?' Nay, although the royal mercy be extended, the reparation is not adequate to the injury. A royal pardon may, indeed, heal the wound, but it cannot remove the ſcar. We approach the throne, the humble ſuppliants for favour; but, before a court of law, we are entitled boldly to demand juſtice.

In

* In the caſe of the Glaſgow rioters, A. D. 1725, the Lord Juſtice General entered a proteſt againſt the judgment of the court, in finding, that certain parts of the indictment did not infer a capital puniſhment.

† Maclaurin's caſes, p. 594.

In a late caſe, it has been, with great propriety, eſtabliſhed as law, that an appeal cannot be received againſt an interlocutory ſentence * of the Court of Juſticiary; becauſe, otherwiſe cauſes might be protracted unmeaſureably. But we can perceive no alarming conſequences from appealing againſt a definitive ſentence. The vanity of challenging a decree, proceeding upon a clear point of law, and regular verdict of a jury, will be perceived. Although it ſhould not operate upon every occaſion, it cannot be ſuppoſed that the Houſe of Lords will receive appeals promiſcuouſly; and, at all events, the appeal may † be diſcuſſed before there is a poſſibility of executing

* Maclaurin's caſes, p. 523.

† By act 11. George I. c. 26. in Scotland, no ſentence of death, or corporal puniſhment, can, on the ſouth ſide of the Forth, be put in execution in leſs than thirty, and on the north, than forty days.

After the deciſions of the Court of Juſticiary mentioned above, it muſt be confeſſed, that this ſtatute, retarding executions, has not been unattended with good conſequences. It was enacted, however, upon an occaſion ſufficiently humiliating for the country. After the acceſſion of the houſe of Hanover, the northern counties of Scotland were reckoned to be exceedingly diſaffected to government. Numerous bodies of the military were quartered among them, to check and overawe them. As the officers looked upon the inhabitants as enemies to their King, theſe military gentlemen indulged themſelves in an inſolence of demeanour, now rarely to be met with among that reſpectable body; and, when their irregularities were even of ſuch a nature as to fall within the cognizance of the law, it was thought proper to connive at them, or to ſuſpend its execution. In A. D. 1723, an officer went into a dancing-ſchool at Perth, and uſed indecent familiarities with a young girl. The dancing-maſter, reſenting the inſult to his pupil with equal ſpirit and propriety, ſeized the officer by the neck, and turned him out of the room; and, as the officer was muttering vengeance, the dancing-maſter aſſured him, that, ſhould they happen to meet, he would not find him unprovided with a ſword. In a few days, accordingly, they met by accident; the officer drew, the dancing-maſter drew alſo. He parried the thurſts of the former, and could, (it is ſaid), eaſily have put him to death. But a ſerjeant, who attended the officer, came behind the dancing-maſter, and pinioned him, upon which the officer run him through the body, and he died upon the ſpot. The publick were enraged at ſo foul a murder; they were bent on vengeance; they foreſaw an interpoſition of the crown, and were reſolved to prevent it. The Provoſt of Perth ſat in judgment upon the officer. He was convicted by a jury; and was ſentenced to be hanged within three ſuns. He deſpatched an expreſs to London, applying for a pardon, which was granted; but he was hanged ere the

executing the criminal. Thus, by admitting of appeals, we are entitled to maintain, that a remedy will be provided againſt the violation of the moſt ſacred rights of mankind, till ſome one ſhall ſtep forth bold enough to aver, that, from the hiſtory of this court, and from the ſtudy of human nature, 'no ſentence of the court, or 'of any ſingle Lord of Juſticiary, ever has been, or will be found-'ed on error, caprice, or corruption.'

As civil actions of peculiar intricacy and importance, could only be tried before the Court of Seſſion; ſo antiently, the crimes of rape, robbery, murder, and wilfull fire-raiſing, which were called *the four pleas of the crown*, could only be tried before the Court of Juſticiary. The Court, however, has not, for a long period, poſſeſſed ſuch excluſive juriſdiction; treaſon being now, perhaps, the only crime which can be tried before the Court of Juſticiary alone. In trials before this court, the priſoners enjoy many favourable circumſtances. They are always ſerved before-hand with a liſt of the witneſſes to be adduced againſt them; and, in capital trials, the evidence muſt be all reduced into writing. But there is no neceſſity for the jury being unanimous, the verdict of a bare majority of *the fifteen* is fully ſufficient. If the priſoner be indigent, counſel are always appointed for him, and they are indulged in a liberty, which they take too often, of being extremely prolix and trifling in their pleadings upon the relevancy of the indictment. Thus, from the trials before the Court of Juſticiary, and thoſe we have ſeen at the Old Bailey, although, in both, they appear very fair, yet their manner is extremely oppoſite. In the latter, they are conducted with plain ſenſe, candour, and expedition; nothing eſſential rejected, nothing ſuperfluous admitted: But, in the former, a great deal of wrangling is admitted; ſo that, together with the evidences being taken down in writing, the trials are ſpun out to an immoderate length. A trial is rarely finiſhed in leſs than a day; they

the pardon arrived; upon which the act already mentioned was paſſed. Although the view of the legiſlature was to prevent the law from laying hold on the friends of government; yet, in effect, it has been the means of ſaving the lives of ſubjects, when affected by abſurd and iniquitous judgments, in violation of law.

they will often take up forty-eight hours; and, upon one occaſion, the trial laſted ninety-four hours *.

Before this court, the counſel for the priſoner is entitled, by act of parliament, to ſum up the evidence in his behalf, and to be the laſt ſpeaker, except in trials for high treaſon; and the addreſs, or *charge*, (as it is called), to the jury by the Lord Advocate, or other counſel for the publick proſecutor, is always delivered with the utmoſt candour. But a notion ſome how prevails, that the Lords of Juſticiary are generally inclined to be unfavourable towards the priſoner; and, in fact, they do frequently addreſs the jury after the † counſel for the priſoner has finiſhed.

Of the Court of Exchequer.

The Court of Exchequer is one of the three ſupreme courts in Scotland. Antiently it conſiſted of the Lord Treaſurer, Treaſurer-depute, and as many Barons of Exchequer as the King thought proper to appoint. By an article of union, it was declared, that this court ſhould be new modelled into a revenue-court by parliament. Accordingly, by its new conſtitution, it conſiſts of the Lord High Treaſurer of Great Britain, a Lord Chief Baron, and four other Barons. Theſe may be choſen either from among the ſerjeants at law, Engliſh ‡ barriſters, or Scots advocates. Any may plead before this court, who are entitled to practiſe as counſel in Weſtminſter-hall, or in the Court of Seſſion, and the members enjoy the privilege of the College of Juſtice.

This court, in moſt reſpects, decides according to the forms and laws of England. The mode of trial is by jury, and appeals from this court to the Houſe of Lords are competent. Its juriſdiction re-

* That of Provoſt Stewart.

† In a trial before the Circuit Court at Perth, A. D. 1774, (it was only, indeed, a matter of *adjudging to ſlavery for ſeven years, and tranſportation for life*), we were witneſs to the judge, after the counſel for the priſoner had finiſhed his argument, addreſſing the jury, muſtering up *only* the evidence againſt the priſoner, taking to pieces the argument made by his counſel in his behalf, and declaring, (although the proof was by no means direct), that he could not ſuffer himſelf to entertain a notion that the jury would acquit the priſoner.

‡ An. 6. Annae c. 26.

lates chiefly to duties of cuſtoms and exciſe, and all other matters concerning the King's revenue, either by virtue of his royal prerogative, or otherwiſe. But it is provided, that no debt due to the crown, ſhall affect the debtor's real eſtate, in any other ſhape than it could have been affected by the law of Scotland; and, that the validity of the crown's titles to honours, lands, or caſual revenues, ſhall be tried as formerly by the Court of Seſſion. The Court of Exchequer has alſo the power of examining and paſſing all accompts of ſheriffs, and other officers employed in collecting the royal revenues, and likewiſe of inſpecting the accompts of magiſtrates of royal boroughs. The Lord Chief Baron has a ſalary of L. 2000 a year, one of the other judges of L. 1200, a third of L. 700, and the remaining two of L. 750 each.

Of the High Court of Admiralty.

The office of Lord High Admiral of Scotland is very antient, as well as the Court of Admiralty; but the form of their proceedings of old is not much known, as moſt of their antient records are loſt.

The Lord High Admiral was, before the union, his Majeſty's Lieutenant and Juſtice General upon the ſeas, and in all creeks, harbours, and navigable rivers beneath the firſt bridge. He exerciſed his juriſdiction by deputies, the Judge of * the High Court of Admiralty, and the judges of inferior admiral courts in the different diſtricts. By an article of the union, the juriſdiction of the Admiralty is ſaid to be under the Lord High Admiral of Great Britain; but this ſurely does not infer juriſdiction in a judicial capacity; for the decrees of the Court of Admiralty are, in civil cauſes, ſubject to the review of the Court of Seſſion, in criminal, to that of Juſticiary.

The Judge of the High Court of Admiralty is appointed by the Lord vice Admiral of Scotland, an officer of ſtate nominated by the crown; and thoſe of the inferior courts are in the nomination of the judge of the High Court. They have a juriſdiction in all maritime

* James VI. parl. 12. c. 15.; Charles II. parl. 3. c. 16.; Ann, parl. 1. ſeſſ. 4. c. 7. § 19.

ritime cauſes, civil or criminal. By preſcription alone, the High Court has acquired a juriſdiction in mercantile cauſes, nowiſe maritime. The inferior courts imitate the example, although their juriſdiction is diſavowed by law in all cauſes, but thoſe ſtrictly maritime, and moſt properly; for the judges of the inferior courts of Admiralty are, by ſtation and learning, leſs qualified to act as judges, than thoſe of any court in the nation.

Of the Commissary Court.

The Commiſſary Court of Edinburgh, like that of Admiralty, is, in ſome reſpects, ſupreme, in ſome inferior. It can review the ſentences of all other Commiſſary courts; but its own decrees are ſubject to the review of the Court of Seſſion. The Commiſſary Court of Edinburgh has a double juriſdiction, ordinary and univerſal. Its ordinary juriſdiction extends over its own diſtrict; that is, Edinburgh, and the four adjacent counties on the ſouth ſide of the Forth. Its nature is to confirm teſtaments, to aſcertain debts contracted by perſons deceaſed, and give decree for payment of them; eſpecially, if the debts relate to the laſt illneſs of the deceaſed, his funeral charges, or obligations ariſing either from teſtaments, or from the ties of nature ſupported by law, requiring alimony out of the effects of the deceaſed; to decide in all actions of ſcandal; and, in general, upon all debts not exceeding L. 40. By its univerſal juriſdiction, it reviews the decrees of other commiſſary courts, and takes cognizance of all actions to prove a marriage, to procure a divorce, &c.

This court was * inſtituted by Queen Mary, and is the general conſiſtorial court for Scotland. There are four judges nominated by the crown. They are choſen from among the Faculty of Advocates, and it is proper they ſhould be ſo, for the judges have frequently to decide upon the principles of the civil and canon laws. It is certainly a great impropriety attending the conſtitution of this

* Balfour's practicks, p. 670.; Erſkine's Inſt. p. 81.

court, that the ſalaries, or to ſpeak more properly, perquiſites of the judges, are paid by the litigants before it. This is not only an oppreſſion upon the ſubjects, but may lead to a very intereſted conduct on the part of the judges, who have a power of declaring how much the litigants ſhall pay for the ſentence the judges pronounce. Four hundred pounds a year is equal to the pityful emoluments of the whole four judges. It ought certainly to be paid out of the public revenues; and ſhould, indeed, be augmented, for their preſent emoluments are, by no means, an adequate recompenſe for their trouble.

Of the Lyon Court.

The *Lord Lyon King at Arms*, is an officer of high rank and antiquity. His office and ſtation in Scotland are ſimilar to that of Garter King at Arms in England. At the coronation of his preſent Majeſty, the Lord Lyon, and Garter Kings at arms, walked a-breaſt immediately preceding the Lord Great Chamberlain of England. Of old, the Lord Lyon was employed in carrying publick meſſages to foreign ſtates, and it is ſtill his province to aſſiſt at declaring war, proclaiming peace, &c. He derives his name from the lion rampant, which he bears on his variegated robes, the armorial bearing of the Scottiſh kings. He was antiently inſtalled into his office with the ceremony of a coronation. The laſt perſon who underwent this ceremony, was Sir Alexander Erſkine of Cambo. After many ſolemnities, the crown was put upon his head at the palace * of Holyroodhouſe, by the unfortunate James VII. then Duke of York.

The officers ſerving under the Lord Lyon, are heralds, purſuivants, and meſſengers at arms. It is the buſineſs of the laſt of theſe to execute all ſummonſes before the Court of Seſſion, to apprehend the perſon of debtors, and, in general, to perform the executive parts of the law. It is the province of the Lord Lyon, to adjuſt matters

* See the form of the Lord Lyon's coronation, in appendix No. 10.

matters of precedency; to marſhall perſons walking in publick proceſſion*; to inſpect the coats of arms of the nobility and gentry; to puniſh thoſe who aſſume arms not their due; to beſtow coats of arms upon perſons deſerving; to grant ſupporters to Peers, or other perſons of diſtinguiſhed rank; and to take cognizance of, and puniſh offences committed by meſſengers at arms, in the courſe of their office.

Upwards of a hundred years ago, it happened the records of the Lyon-office to be burned; upon which an act of parliament was made, ordaining all the nobility and gentry of Scotland, to regiſter their armorial bearings in the books of the Lord Lyon, under pain of the confiſcation of all plate, carriages, &c. upon which arms not regularly entered ſhould be depicted. The office of Lord Lyon has, of late, been held as a ſinecure, in ſo much that it has not been thought neceſſary, that this officer ſhould reſide in, or ever viſit the nation. The buſineſs, therefore, is entirely committed to deputies, who manage it in ſuch a manner, that, in a country where pedigree is the beſt aſcertained of any in the world, the national record of armorial bearings, and memoirs concerning the reſpective families inſerted along with them, are far from being the pure repoſitory of truth. Indeed, there have of late been inſtances of genealogies inrolled in the books of the Lyon Court, and coats of arms, with ſupporters, and other marks of diſtinction, being beſtowed in ſuch a manner as to throw a ridicule upon the ſcience of heraldry.

Of the Sheriff Court.

As the nation is divided into counties or ſhires, the ſheriff was antiently the King's lieutenant, within his particular diſtrict, and enjoyed an extenſive juriſdiction, civil and criminal. Of old, the ſheriff reviewed the decrees of the baron-courts within his territories. He muſtered thoſe military companies, or bodies of militia, whoſe

* James VI. parl. 12. c. 125.; Charles II. parl. 2. ſeſſ. 3. c. 21.

whoſe exerciſes were known by the name of *weapon-ſhawings*. He received, and ſtill continues to receive, from the collectors within his diſtrict, the royal revenues, which he pays into the Exchequer. He ſummons a jury of forty-five perſons, out of * whom the Court of Juſticiary ſelects fifteen, to ſit upon trials held before them. He returns, as member of parliament for the county, the perſon having a majority of ſuffrages upon the roll of freeholders. He eſtabliſhes, by the aſſiſtance of a jury, the *fiars*, or rates which muſt be paid for grain that ought to be delivered, when no preciſe price is ſtipulated. He has a civil juriſdiction, which, however, does not extend to a conteſt for the property of a landed eſtate; and a criminal one, in caſes of theft, and other crimes of leſſer moment.

The office of ſheriff was, of old, in many inſtances hereditary. But, ſince the late rebellion, this, and all other offices poſſeſſing any important heritable juriſdiction, were either diſſolved, or reſumed and annexed to the crown, (the juriſdiction of the magiſtrates of royal boroughs being ſtill reſerved entire.) The office is now exerciſed by a judge, called the † *ſheriff-depute*, and by his ſubſtitutes. The ſheriff-depute is appointed by the crown; he muſt be a member of the Faculty of Advocates of at leaſt three years ſtanding.

Of the Justice of Peace Court.

Very little buſineſs it tranſacted before the juſtice of peace court held at Edinburgh, as moſt of the cauſes commonly brought before juſtices of the peace are, in Edinburgh, brought either before the magiſtrates, or the ſheriff of the county.

That office is in Scotland of no earlier inſtitution than A. D. 1609. At that period, the King was authoriſed to name ‡ commiſſioners, for binding over diſorderly perſons to appear before the Juſticiary, or privy council. By ſubſequent acts, juſtices of the peace were impowered

* Skene de verborum ſig. in voce *Sherriff*. † An. 20. Geo. 2 c. 43.

‡ James VI. parl. 20. c. 7.

impowered to judge in riots, and breaches of the peace; to regulate high-ways, bridges, and ferries, and determine matters concerning them; in which laſt, however, the commiſſioners of ſupply are joined with them. They have alſo authority to execute the laws againſt beggars and vagrants; to puniſh the offenders againſt ſundry penal laws; to judge upon tranſgreſſions of the game-laws, and concerning certain frauds committed againſt the duties of cuſtoms and exciſe; and likewiſe, to fix the rate, and ordain payment of ſervants wages, beſides various other branches of juriſdiction; but, in general, the powers of juſtices of the peace are not ſo well underſtood, nor ſo accurately * defined in Scotland, as in England.

Of the Jurisdiction of the Magistrates of Edinburgh.

Beſides the courts already mentioned, there are many others held in Edinburgh by the magiſtrates, or thoſe appointed by them. The magiſtrates of Edinburgh are veſted with ample powers, and an extenſive juriſdiction; a juriſdiction which they formerly exerciſed in a latitude not to be parallelled but in a deſpotick monarchy; a latitude which has never been circumſcribed by poſitive law, but alone by the imperceptible operation of the prevailing principles of liberty.

The citizens of Edinburgh had reſcued James III. from impriſonment in Edinburgh caſtle, where he had been confined by his rebellious ſubjects. In conſequence of this, they enjoyed a degree of favour with that monarch, which induced him to beſtow upon them very † ample privileges. Theſe were, from time to time, enhanced by grants from ſucceſſive Sovereigns, till they amounted to an intolerable acquiſition of power. By one paragraph in one charter, they

* On this head, ſee Erſkine's Inſtit. p. 58.; Bankton's Inſt. b. 4. tit. 17.; Burn's juſtice of the peace; Lambard's *Eirenarcha*; Blackſtone's Commentaries, v. 1. p. 349. v. 4. p. 278.

† City cart. of Edinburgh, v. 1. p. 33. 16th November 1482.; Golden charter, 15th March 1603.

they were veſted with legiſlative, judicative, and executive authority. They were impowered to make ſtatutes for the good government of the town, to which they gave ſo extenſive an interpretation, as to enact any thing that ſeemed good to them. As judges, they tried offences againſt laws of their own making; and, as executive magiſtrates, they ſaw their own ſentences put into execution. It is not the nature of man, when veſted with extravagant authority, not to be guilty of its abuſe. By one of their earlieſt edicts, thoſe who were guilty of hearing maſs, or of fornication, were ſubjected to pillory, burning in the cheek, and baniſhment from the city; but, for the third* offence, to *death*. By another regulation, they ordained, that young women, who, as daughters of burgeſſes, were entitled to the freedom of the city, if they did not enjoy an unſpotted fame at the time of their marriage, they ſhould forfeit the freedom of the city, both for themſelves and their huſbands. By a third, that ſuch young men as having finiſhed their apprenticeſhip, ſhould marry the daughter of a freeman, ſhould be admitted members of the guild; but, if they married the daughter of any other perſon, or did not marry at † all, they ſhould not be received into that fraternity, till they had undergone an additional ſervitude of eight years.

They have been in uſe to erect bodies-corporate within the city, with powers of holding property, and of ſuing, and being ſued, a cuſtom which has become ſo inveterate, as now to be incapable of challenge, or of being eradicated but by an act of the legiſlature. They have granted monopolies of all ſorts. To one, they gave an excluſive privilege of keeping ſtage-coaches ‡, to run between Edinburgh and Leith; to another, of keeping chaiſes for hire; to a third, of printing news-papers on certain days of the week; to a fourth,

* Council reg. v. 3. p. 37. v. 6. p. 9. 180. † This regulation had probably been ſuggeſted to them by conceiving ſome ridiculous analogy to the ſtory of Jacob and the daughters of Laban, Geneſis, c. 29. ‡ Council reg. v. 37. p. 214. v. 39. 10th 17th Auguſt 1709, v. 49. 28th March 1722, v. 66. 20th May 1747.

fourth, of printing burial-letters; to a fifth, of japanning; beſides many others.

The Lord Provoſt of Edinburgh is high ſheriff, coroner, and admiral, within the city and liberties, and the town, harbour, and road of Leith; and has a juriſdiction in matters of life and death. He was an officer of the Scottiſh parliament, is preſes of the convention of royal boroughs, colonel of the trained bands, commander of the City-guard, and of Edinburgh jail. Within the city, he has precedency of all the nobility and great officers of ſtate, upon all occaſions, walking on the right hand of the King, or of his Majeſty's commiſſioner *; and has the privilege of having a ſword and mace borne before him. The magiſtrates are juſtices of the peace, and ſheriffs-depute; and the town-council are patrons of all the churches in Edinburgh, patrons of the Univerſity, and electors of the city's repreſentative in parliament; and have the right of preſenting to all offices of truſt, honour, or emolument, depending upon the city.

The Lord Provoſt and magiſtrates have one or other of them an extenſive civil, but ſtill more ample criminal juriſdiction. The courts held by them are, the criminal court, the bailie court, the ten mark court, and the dean of guild court.

Of the Criminal Court of Edinburgh.

Of old, the proceedings in the criminal courts of Scotland, even in that of Juſticiary, were very irregular, and the records of them indiſtinctly preſerved. This has been, in a peculiar manner, the caſe with the criminal court of Edinburgh. Sometimes its proceedings were recorded amidſt the city's ordinary affairs in the town-council regiſter. For the moſt part, they were not recorded at all. It was only in the end of the laſt century that a ſeparate book was

* See the ceremony obſerved at the funeral of a Lord Provoſt of Edinburgh in Appendix, No. XI.

begun to be kept for the criminal tranſactions; and, even ſince that, the proceedings commonly have not been entered, but in trials that inferred a capital puniſhment. Agreeably to the informality natural to rude times, the judges who ſat in this court were various. Sometimes one of the bailies of Edinburgh, with the reſident * bailie, ſat in judgment. Sometimes the Lord Provoſt ſat, with aſſeſſors appointed by the parliament. But, of late, the moſt common, and, we apprehend, moſt approved way of judging, was by the Lord Provoſt, aſſiſted by the city-aſſeſſors †.

The juriſdiction of the Lord Provoſt of Edinburgh, and of the bailies, who are conſidered as his deputies, extends to crimes of whatever nature or magnitude committed within the city or liberties, treaſon excepted. The words of the charter beſtowing this authority upon them are expreſs ‡: 'To be judges in *all* crimes; and to puniſh offenders or criminals by death, baniſhment, or *other puniſhment*, according to their ſeveral tranſgreſſions, and the laws of our kingdom.' The uſage has been correſpondent. It has been already obſerved, that no ſeparate record of the tranſactions of the criminal court of Edinburgh was kept till the end of the laſt century. In A. D. 1514, a man was tried in this court for murder, and acquitted. In 1601, a man was tried in Leith before one of the bailies, and the reſident bailie, for ſtealing a quantity of grain, by the means of falſe keys, and was ſentenced to have his hands tied behind his back, to be inſtantly carried out to Leith road, and there to be drowned. On the firſt of April 1689, John Chiſlie of Dalry ‖ was

* The reſident bailie is a perſon reſiding in one of the diſtricts depending on the city. He is no member of the town-council, but is appointed to act within a particular diſtrict, as judge-depute of the magiſtrates. † See, in Appendix No. XII. a trial, in which it is difficult to ſay who ſat as judges. ‡ Golden charter in archives of the city of Edinburgh, 15th March 1603; Maitland's hiſtory, p. 252. 253. ‖ Council reg. v. 1. p. 6.; Inventary to city cart. v. 2. p. 512.; Criminal regiſter of Edinburgh, 1ſt April 1689, 6th November 1690, 1ſt 12th September 1691, 20th January 1702, 12th January, 19th October 1730, 3d November 1732, 17th Auguſt 1733, 12th April 1742, 15th December 1743, 21ſt January 1754, 16th December 1762; Records of Juſticiary, 27th November 1747.

was tried for the murder of Sir George Lockhart, Lord Preſident of the Court of Seſſion, committed on the day before, was put to the torture, to diſcover his accomplices, by *authority of parliament* was condemned, and, agreeably to his ſentence, was, on the 3d of April, taken to the croſs of Edinburgh, his right hand cut off alive, and fixed on the Weſt-port, himſelf hanged, and his body hung in chains. Trials for murder have alſo been held before this court in the years 1690, 1691, 1700, 1702, 1732, and 1733. But, in this laſt caſe, the priſoner declined the juriſdiction of the court, on this head, that he was not apprehended, nor ſerved with an indictment within forty days from the alledged commiſſion of the crime. The Lord Provoſt ſuſtained the defence of the incompetency of his juriſdiction, in which he appears to have been abundantly ſcrupulous.

Beſides, in the crime of murder, the juriſdiction of this court has been ſuſtained in the *crimen violati ſepulchri*, or that of lifting dead bodies from the grave; in thoſe of theft, houſe-breaking, uſing of falſe keys, forgery, ſaying of maſs, celebrating irregular marriages, *curſing the Houſe of Hanover*, concealing the diſcovery of hidden treaſure, and of publiſhing defamatory libels.

Of the Bailie Court.

The Bailie-court is commonly held by one of the four bailies, who ſit each of them for three months, for the deſpatch of buſineſs. In this court, actions (in which an inhabitant of Edinburgh is defender) are competent, that can be tried before ſheriffs-depute, or juſtices of the peace. Frauds againſt the city's revenue are commonly tried in this court. It has alſo a power of valuing* and ſelling ruinous houſes within borough, in order that they may be rebuilt, in caſe the proprietor ſhall refuſe to rebuild or repair them. In difficult caſes, the judge conſults one of the city's aſſeſſors: For the city has always two aſſeſſors extraordinary, his Majeſty's Advocate

* Erſkine's Inſtitutes, p. 62.

and Solicitor, and four ordinary aſſeſſors, who are members of the Faculty of Advocates.

Of the Ten Mark Court.

The intention of this court is, that juſtice ſhould be diſtributed with deſpatch to poor perſons, and in trifling cauſes. It is called the *Ten mark court*; becauſe that, or eleven ſhillings one penny two thirds, is the higheſt ſum for which any action can be brought before it, except thoſe for ſervants wages, which may be tried to any amount. This court, in which one of the bailies is judge, meets once a week. It is hardly admitted for the parties to appear by their procurators. A party condemned to make payment to his antagoniſt muſt do it immediately, or go to priſon; and the expence of an action is juſt ſixpence.

Of the Dean of Guild Court.

This court, far from uſurping a juriſdiction which did not belong to it, has loſt a part of what it was entitled to by law. It was authoriſed by ſtatute to judge in all cauſes between merchants, as alſo, between merchant and mariner. For a long time, however, it has exerciſed its juriſdiction ſolely in regulating buildings within borough. In this reſpect, it is a court of great utility, eſpecially in Edinburgh, where the vaſt height of the houſes, and their being very much crouded upon each other, makes an inſtitution of this ſort peculiarly neceſſary. The buſineſs of the dean of guild, and his council, is to take care that buildings within the city be carried on according to law; that encroachments be not made upon the publick ſtreets; alſo, to judge between conterminous * proprietors, upon the limits of their reſpective properties; to conſider the ſtate of buildings,

* James VI. parl. 13. c. 180.; William, parl. 1. ſeſſ. 7. c. 8.; Council regiſter, v. 7. p. 162.

buildings, whether they be in ſuch condition as to threaten damage to thoſe dwelling in them, or to the neighbourhood; and to grant warrant for repairing, pulling down, or rebuilding them, according to the circumſtances of the caſe.

The Dean of Guild is judge of this court. He has a council of five appointed to him, whoſe opinions he conſults; but, if it be a matter of ſuch importance, as the ordering a houſe to be pulled down as ruinous, he does not proceed but upon the verdict of a jury of fifteen men, half merchants, half tradeſmen, who are ſpecially called for the purpoſe.

With ſome, it has long been a matter of complaint, that the Court of Seſſion is by much too ready to interfere with the decrees of the Dean of Guild. Here it muſt be obſerved, that the decrees of the Dean of Guild are of two ſorts. They either reſpect queſtions between neighbouring proprietors, about the extent of their grounds, or matters of publick police; ſuch as removing of nuiſances, ordering inſufficient houſes to be repaired, or pulled down, or granting warrant for rebuilding. The firſt of theſe caſes is a matter of no public concern; for, it is altogether indifferent to the publick, whether ſuch a foot of ground belong to A or to B; and beſides, in this caſe, the two private parties will, from motives of intereſt, or from litigiouſneſs, be ſufficiently ready to lay out their money in a conteſt before the Court of Seſſion; but, in the other caſes, whether an incroachment be made, or ſuffered to remain upon the ſtreets; whether a work of publick utility be ſtopped in the middle; or whether the houſes be ſuffered to tumble down about the ears of the inhabitants, is ſurely of public importance; yet here, there is but one private party, the other party is the procurator-fiſcal of the Guild Court, who, however much he might be inclined to accommodate the publick, by an attention to that part of police which concerns buildings, may not think himſelf at liberty to ſquander the publick funds of the city, in a conteſt with a litigious individual. By ſome, it is therefore held, that, in affairs of this ſort, an interdict of the Dean

of

of Guild's judgment ought never to be granted as a matter of courſe, nor without, at leaſt, a plauſible reaſon appearing upon the face of the application; for inſtances have been known, that a debate before the Court of Seſſion, about continuing an interdict, has been ſtopped by information, that the houſe, which was the ſubject of debate, had fallen to the ground; and, when gentlemen make their complaints to the magiſtrates of the quantities of rubbiſh lying on the ſtreets, they commonly receive for anſwer, 'That it is out of 'the magiſtrates power to help it, for one of the Lords had granted 'an interdict.'

* * * * * *

As the town-council of Edinburgh are ſuperiors of the Canongate, Portſborough, and Leith, they appoint certain of their own number bailies of theſe *boroughs of barony**. They are called the *Baron Bailie of the Canongate*, &c. That for Leith is called *the Admiral of Leith*; becauſe, within that diſtrict, he has a juriſdiction in maritime affairs. The baron bailies appoint one or two inhabitants of the reſpective *baronies* their ſubſtitutes; theſe are called *Reſident Bailies*. They hold courts in abſence of the baron bailies, for diſcuſſing civil cauſes of ſmall moment, and petty offences.

Having deſcribed the different courts for the adminiſtration of juſtice, and magiſtrates for preſerving of order, we muſt obſerve it, as an happy effect of their vigilance, that, perhaps, in no city of its bulk, are the perſons and properties of the inhabitants ſo free from predatory aſſaults. A ſtreet-murder is a thing unknown in the memory of man. Robberies are very rare. The laſt robbery which was committed in Edinburgh, was on the laſt day of December 1775. Both the criminals were ſecured on that ſame night, and they were both made a ſacrifice to publick juſtice, as quickly as the laws would permit.

* A borough of barony is a corporation erected by the King, conſiſting of the inhabitants of a certain tract of ground. Sometimes its magiſtrates are choſen by the inhabitants, ſometimes they are named by the ſuperior.

permit. A perſon may walk the ſtreets any hour of the night, without dread of diſturbance. This ſecurity, we apprehend to be chiefly owing to the inſtitution of the city-guard, to the ſociety of *cadies* *, and to the particular attention of the preſent ſheriff-depute of Edinburgh.

CHAPTER

* The cadies are a fraternity of people who run errands. Individuals muſt, at their admiſſion, find ſurety for their good behaviour. They are acquainted with the whole perſons and places in Edinburgh; and the moment a ſtranger comes to town, they get notice of it. The late recruiting buſineſs has been of no ſervice to them.

CHAPTER II.

(*By an overſight, the former chapter has been numbered B. III. c. 5. inſtead of B. IV. c. 1*).

OF the Military Government, and Political Conſtitution of Edinburgh—Trained Bands—Town Guard—Town Council—Conteſts between Merchants and Trades.

IT has been obſerved, in the firſt part of this work, that a body of the citizens of Edinburgh, conducted by the Lord Provoſt and magiſtrates, accompanied James IV. to the battle of Flowden; and that, after that memorable defeat, the town-council appointed the inhabitants to aſſemble in defence of the city, and to keep watch, *every fourth man to be on duty each night*; and various military tranſactions of the citizens have been deſcribed in the courſe of our work.

The military corps of Edinburgh are the trained bands and the town-guard. The former of theſe corps appears to have been firſt eſtabliſhed A. D. 1626. At that time, the town-council, upon a narrative of the foreign wars then ſubſiſting, and other circumſtances *, which, however, do not appear to have been their real motives, reſolved, that the citizens ſhould be muſtered and divided into eight companies of 200 men each. In the year 1645, it was reſolved, that the citizens ſhould be muſtered in † ſixteen companies, and to that effect the city was divided into as many departments. Theſe are ſtill the boundaries according to which the preſent companies of trained bands are muſtered. Each of the ſixteen companies conſiſts of 100 men. The Lord Provoſt of Edinburgh is their colonel; but their commanding officer in ordinary is known by the title of *Captain Commandant*. Under him there are a Lieutenant Colonel and Major, and in each company a Captain, Lieutenant, and Enſign. In the late rebellion, the arms provided for the trained

* Council reg. v. 13. p. 324. † Ibid. v. 16. p. 47.

trained bands, and kept in the city's armoury, were carried off. They have never been reſtored nor replaced. The trained bands are now neither poſſeſſed of arms, nor inſtructed in military diſcipline; nor do they ſerve any purpoſe, but to diſplay a parade upon publick proceſſions of the citizens.

Of old, the citizens performed a ſpecies of perſonal ſervice for defence of the town, called *watching and warding*. By this, the trading part of the inhabitants were bound, in perſon, to keep watch alternately during the night, to prevent or ſuppreſs occaſional diſturbances. In the progreſs of manners, this perſonal attendance was found extremely inconvenient; and the citizens were convinced, that their own eaſe would be promoted, and the city more effectually protected, by a commutation of their ſervices into money, to be paid by them for maintaining a regular guard.

Conform to this idea, the town-council, in A. D. 1648, appointed a body of ſixty men to be raiſed, whereof the captain to have a monthly pay of L. 11 : 2 : 3* Sterling, two Lieutenants of L. 2 each, two ſerjeants of L. 1 : 5 : 0, three corporals of L. 1, and the private men of 15 s. each *per* month. No regular fund being provided to defray this expence, the old method of *watching and warding* was quickly reſumed; but thoſe on whom this ſervice was incumbent, were become ſo relaxed in their diſcipline, that the privy council informed the magiſtrates, if they did not provide a ſufficient guard for preſerving order in the city, the King's troops would be † quartered in it. Upon this, forty men were again (1679) raiſed as a town-guard. This body was, in the year 1682, augmented to a 108 men, at the inſtigation of the Duke of York. The appointment of the officers was veſted in the King, who was alſo declared to have a power of marching this corps wherever he thought proper. To defray the expence of this company, the council impoſed a tax upon the citizens, and the impoſition was ratified by the King.

* Council reg. v. 17. p. 47. † Ibid. v. 29. p. 275. v. 30. p. 126. 136.

Upon the revolution, the town-council repreſented to the eſtates of parliament, that they had been impoſed upon to eſtabliſh a town-guard, and complained of it as a grievance, which they wiſhed to have removed. Their requeſt was granted, and the citizens had recourſe once more to *watching and warding*. So ſpeedily, however, did they repent themſelves of the change *, that the very next year they applied for the authority of parliament to raiſe, for the defence of the city, a corps of no fewer than 126 men, and to aſſeſs the inhabitants for diſcharging the expence.

Since that period, the number of this corps, which is called *the town-guard*, has been very fluctuating; for about theſe thirty years, it has conſiſted of only 75 private men; and, conſidering the enlarged extent of the city, and the increaſed number of inhabitants, it ought undoubtedly to be augmented. This, however, cannot be the caſe, unleſs new means are deviſed for defraying the expence, ſince the coſt of maintaining the preſent guard exceeds the ſum allowed by parliament to be levied from the citizens for that purpoſe.

The Lord Provoſt of Edinburgh is commander of this uſeful corps. The men are properly diſciplined, and fire remarkably well. Within theſe two years, ſome diſorderly ſoldiers, in one of the marching regiments, having conceived an umbrage at the town-guard, attacked them. They were double in number to the party of the town-guard, who, in the ſcuffle, ſeverely wounded ſome of their aſſailants, and made the whole of them priſoners.

For defraying the expence of this corps, a tax called *watch money*, is levied from thoſe alone of the inhabitants who were liable to *watching and warding*, viz. people in trade. The utmoſt that by law can be levied for this purpoſe, is L. 1250 Sterling; but, as the actual expence amounts to L. 1400, the magiſtrates are obliged, by other means, to defray the additional charge.

But, although the town-guard may quell a nocturnal riot, and defend the inhabitants from ſtreet robberies; yet this corps, even in conjunction

* Council reg. v. 33. p. 5. 148; William and Mary; Unprinted acts, parl. 1. ſeſſ. 2. No. 49.

conjunction with the raw undiſciplined troops, which of late have been ſtationed in the caſtle, are inſufficient for protecting the citizens againſt the fury of the mob; for, in every ſtage of her hiſtory, the mob of Edinburgh have been more fierce and turbulent than thoſe of any city with whoſe annals we are acquainted.

Of the Political Constitution of Edinburgh.

The town-council of Edinburgh are adminiſtrators of the publick affairs of the city. This body conſiſts of thirty-three perſons; but this compoſes the whole council, *ordinary and extraordinary*; for many of the city's affairs are governed by the *ordinary council* of twenty-five. The town-council is compoſed of two bodies of men, merchants and tradeſmen. Their reſpective powers are ſo chequered and interwove, as to preſerve a balance between them. Their powers, indeed, and their numbers, have frequently varied; but they now appear to be eſtabliſhed beyond the poſſibility of being altered, but by an act of the legiſlature. The preſent town-council of Edinburgh are,

The Right Honourable Walter Hamilton, Eſq; Lord Provoſt

John Wordie, Eſq;
William Galloway, Eſq;
Donald Smith, Eſq;
James Dickſon, Eſq; } Bailies

John Grieve, Eſq; Dean of Guild
Alexander Maxwell, Eſq; Treaſurer
John Dalrymple, Eſq; Old Provoſt
James Hunter, Eſq; Gilbert Maſon, Eſq;
Thomas Cleghorn, Eſq; and James Hotchkis, Eſq; } Old Bailies
Charles Innes, Eſq; Old Dean of Guild
William Scott, Eſq; Old Treaſurer

Meſſrs David Stewart, George Leſlie, and Charles Wallace, Merchant Counſellors

Thomas Simpſon and George Home, Trades Counſellors

James Gibſon, Robert Clydſdale,
William Barclay, James Cunninghame,
William Cummyng, William Miller,
} Council Deacons

William Davie, David Stewart,
William Davidſon, *Convener* * John Bonar,
Hugh Johnſton, Thomas Williamſon,
John Craig, Robert Gedd.
} *Extraor.* Council Deacons.

The town-council are not elected by ſuffrage of the houſe-holders at large, nor even by that of the burgeſſes. They are, in part, elected by the members of the fourteen incorporations, and they partly chooſe their own ſucceſſors. The merchants have not, as merchants, any vote in electing the town-council; for the whole merchant guild is repreſented by the merchant members of the town-council for the time being. The grocers, printers, tallow-chandlers, barbers, vintners, and ſtablers, as ſuch, can neither elect nor be elected.

The election then is made in this manner. Firſt, the fourteen incorporations meet by themſelves, and each incorporation makes out a liſt (or *leet* as it is called) of ſix perſons, out of which the Deacon of each reſpective incorporation muſt be choſen. Theſe fourteen liſts, or *leets*, are laid before the ordinary council of twenty-five, who ſtrike off three names from the ſix, and return the liſt, ſo abridged, to the different incorporations; and this is termed '*ſhortening of the leets.*'

* The *Convener* is the head of the trades companies. His office is of very late creation. *The trades* ſet it up of themſelves; and it firſt received the ſanction of authority from Lord Ilay's decreet, A. D. 1740. He is not officially a member of council. His chief mark of diſtinction is a gold chain, which he bears about his neck, and appended to it, a medallion, bearing on one ſide, the figure of juſtice in *alto relievo*, on the reverſe, the arms of the city engraved. A ſimilar emblem is borne by the Provoſt, the four Bailies, the Dean of Guild, and Treaſurer, only that of the Lord Provoſt is diſtinguiſhed by a double chain. The magiſtrates, and all the *ordinary* council, wear robes upon publick occaſions; the Lord Provoſt, a ſcarlet robe, with a cap and border of ermine, the magiſtrates, ſcarlet robes, with caps of crimſon velvet, fringed and taſſelled, the counſellors black damaſk gowns, bordered with ſables.

'*leets*.' Out of the *leets* thus ſhortened, the incorporations chooſe their reſpective deacons, who are then preſented to the ordinary council of twenty-five, who, out of the fourteen deacons, chooſe ſix of them to be members of the ordinary council; upon which the ſix council deacons of the former year walk off.

The next ſtep in the election is the choice of three merchants and two trades counſellors. This is performed by the ordinary council of twenty-five; but the merchants and trades counſellors of the former year do not, upon the choice of their ſucceſſors, immediately withdraw, but vote along with them in the remaining ſteps of the election. There are then 30 members, who proceed to the next ſtep of the election, which is to make up *leets*, out of which the Lord Provoſt, Dean of Guild, Treaſurer, and Bailies, muſt be choſen. For this purpoſe, a liſt is made up of three perſons, out of which the Provoſt muſt be choſen; one of the ſame number for that of the Dean of Guild; a third, like the former, for the election of the Treaſurer; and a liſt of twelve, out of which the four Bailies muſt be choſen; all of which perſons, in the *leets* for provoſt and magiſtrates, muſt be merchants.

The *leets* being made up, theſe thirty, and joined to them the eight *extraordinary* council deacons, making in all thirty-eight perſons, proceed to the choice of the magiſtrates for the enſuing year.

As the new part of the council, ordinary and extraordinary, is now filled up to this extent,

6 Council Deacons,
3 Merchant Counſellors,
2 Trades Counſellors, and
8 Extraordinary Council Deacons; in all nineteen,

it remains that fourteen more members be choſen to make up the full council of thirty-three. Of theſe, the following eleven are choſen on the firſt Tueſday after Michaelmas.

Firſt, the Lord Provoſt, either a new perſon elected into that office, or the preſent one of courſe.

4 Bailies.

4 Old Bailies, their offices borne by the four bailies of the former year of courſe.

1 The Dean of Guild, either a new perſon elected, or the preſent one of courſe.

1 The Treaſurer, either a new perſon elected, or the preſent one of courſe.

Hence, if the three offices of Lord Provoſt, Dean of Guild, and Treaſurer, ſhould all happen to be ſupplied with new perſons, inſtead of eleven vacancies in council being filled up on the day already mentioned, their would be fourteen, which would render the council compleat; for the perſons who were formerly Provoſt, Dean of Guild, and Treaſurer, would, for the enſuing year, become Old Provoſt, Old Dean of Guild, and Old Treaſurer; but, if no new perſons are elected to be Provoſt, &c. then there are none to fill up the places of Old Provoſt, &c. of courſe; which, *therefore, is done* either at the next, or ſome ſubſequent council meeting, by the ordinary council of twenty-three or twenty-four *.

The conſtitution of the city of Edinburg, as now eſtabliſhed, has not been fixed till after the violent and repeated ſtruggles of different centuries. Originally, the town-council was compoſed of the merchants alone. The companies of arts †, or *the trades*, (as they are called), were merely the objects of their creation, were erected into bodies corporate by act of the town-council, and they afterwards requeſted to be admitted by their repreſentatives ‡ into the body which beſtowed upon them an exiſtence; a privilege they ſeemed the better entitled to demand, in conſequence of their being ſo far acknowledged by parliament ‖, as to be debarred to have a voice

* *Twenty-three, or twenty four*; becauſe it ſo happens, that a new provoſt, new dean of guild, and treaſurer, do not come into council in the ſame year; but a new provoſt and dean of guild the one year, and new treaſurer the other, alternately.

† The art is here put for thoſe who practiſe it. We thought proper to adopt the term always uſed in law and in practice. ‡ Council reg. v. 1. p. 26. ‖ James III. parl. 5. c. 30.

voice in electing the magiſtrates of boroughs long before thoſe of any of the crafts in Edinburgh were incorporated.

None of the charters, incorporating any of the trades-companies of Edinburgh, bear an earlier * date than 1475. The firſt time they craved to be admitted by their repreſentatives into the town-council, was in A. D. 1508. At that time, they requeſted to have ſix or eight of their number received into the council, and that they might be declared capable of being elected into the magiſtracy: But they got this remarkable anſwer: 'That the council would make no 'innovation † upon the government of the town, without advice 'of the King and parliament.' At what time *the trades* got admiſſion into this body, we cannot aſcertain. Their powers, indeed, over all Scotland, ſeem to have been extremely fluctuating. By a ſtatute of James I. handicraftſmen, in their different branches, were impowered ‡ to elect a preſes, who was called a deacon, or ‖ kirk- 1424.
maſter. Two years thereafter, the office, as being of general prejudice to the nation, was utterly aboliſhed, and the former § meet- 1426.
ings of the deacons condemned, as the aſſemblies of conſpirators. It was, however, reſtored in about thirty years, with reſpect to the goldſmiths, for the ** purpoſe of inſpecting their work, that it be of 1457.
ſtandard fineneſs; and the office ſoon became general among the different artificers. It was again checked, as being dangerous, and the cauſe of great †† trouble in boroughs, and deacons were required 1493.
to confine themſelves allenarly to the inſpection of the work performed by thoſe of their reſpective crafts. It was afterwards entirely aboliſhed, as being ‡‡ the cauſe of commotions and unlawful com- 1555.
binations;

* Maitland's hiſt. B. 4. † Council reg. v. 1. p. 26. ‡ James I. parl. 2. c. 39.

‖ Probably becauſe he aſſiſted the chaplain in performing certain religious offices. For, thoſe of every occupation had among the ſaints their reſpective patrons, in honour of whom they founded altars. The only remains of this ſuperſtition is the proceſſion ſtill made by the ſhoemakers on St Criſpin's day It is curious to obſerve, that, as ſaints went out of faſhion at the reformation, Criſpin has ever ſince paſſed for a King with the Scottiſh coblers.

§ James I. parl. 6. c. 86. ** James II. parl. 14. c. 65. †† James IV. parl. 4. c. 43. ‡‡ Mary, parl. 6. c. 52.

binations; and the ſtatute aboliſhing it has never been expreſsly repealed; yet *the trades* ſpeedily acquired new power and favour.

At what time the trades firſt obtained admiſſion into the town-council of Edinburgh, we cannot aſcertain. It is certain, however,
1552. that, in A. D. 1552 *, there were two craftſmen in the council, which then conſiſted of twelve. They appear to have been preciſely in the ſame character with the preſent trades-counſellors. Upon the beginning of † the attempts to overthrow the popiſh, and eſtabliſh the reformed religion, Mary of Lorraine, the Queen-regent, with a view of obtaining a ſet of magiſtrates favourable to her cauſe, eſpouſed the intereſt of *the trades*. On the approach of the Michael-
1559. mas election 1559, ſhe ſent an order to the town-council, requiring ‡ them to admit the votes of no fewer than eleven deacons of crafts in every ſtep of the election, which, together with the two trades-counſellors, who were already members of council, would have thrown the election entirely into the hands of *the trades*. This letter was palpably a ſtretch of arbitrary power. It beſides contained a manifeſt falſehood, that the deacons of crafts formerly had a right to vote in all ſteps of borough-elections; whereas, by the
1469. ſtatute 1469, (long before that repealed), it was only provided, that the craftſmen ſhould have a voice in chooſing the magiſtrates. And the letter further alluded to ſome reſtitution of their privileges,
1556. which had been made to *the trades* in the year 1556. What the nature was of this act of reſtitution, or by whom it was paſſed, we know not; but we are certain that it was illegal; for the office of deacon, and all its privileges, were aboliſhed by parliament the very year preceding. The council behaved with great ſpirit upon receipt of

* Records of convention of royal boroughs, 4th April 1552.

† In the recent conteſt between the merchants and *trades*, the author of the ingenious paper for the defendants of the 3d March 1778, ſuppoſes, that the two craftſmen were turned out of council after 1552, were received again in 1556, but even then were not allowed to vote. We can diſcover no reaſon for any part of this hypotheſis. The author of that paper appears to have been led into the miſtake, by confounding together the deacons of *the trades* and the two trades-counſellors. ‡ Council reg. v. 3. p. 24.

of this order from the regent. They deſired the deacons who had preſented it to withdraw, till the council had deliberated upon its import; and having called them in again, told them *, 'that the 'council could yield no obedience to the order, for it was contrary 'to act of parliament.'

The council, however, was not long filled with men of ſuch determined reſolution. Twenty years had hardly elapſed, ere *the trades* had got ſuch footing in it, that the mutual conteſts of them and the merchants filled the city with tumult; and both parties were fain to court peace, by referring their various claims and differences to the deciſion of James VI. as umpire between them. 1582.

By the decreet-arbitral pronounced by that Prince, the political conſtitution, or *ſett* of the town, was eſtabliſhed upon nearly the ſame footing which it ſtill retains, notwithſtanding the buſy ſtruggle which *the trades* have maintained for a period of two hundred years, in order to acquire to themſelves an increaſe and aſcendency in power. By this decreet, the town-council was appointed to conſiſt of the ſame number of perſons, merchants and tradeſmen, that it does at preſent. The only important advantage which *the trades* have acquired by their ſtruggles for power, has been, that, as by the decreet of James VI. the ordinary council of twenty-five, after taking the opinion of the deacons of the different incorporations upon the characters of the members of their reſpective bodies, made out a liſt, or *leet*, of three perſons in every incorporation, out of which it behoved the different deacons to be choſen. Whereas now, each incorporation gives in a liſt, or *leet*, to the town-council, of ſix, from theſe the council ſtrike off three, and out of the remaining three the deacon is choſen. It is proper, however, that we ſhould give a ſhort detail of the different conteſts between the merchants and *trades*, from the date of King James's decreet-arbitral to the preſent times. April 22. 1583.

* Council reg. v. 3. p. 24.

During the life of that Prince, neither party could, with any decency, challenge the decree of their Sovereign, which they had ſworn to obſerve. The reign of his ſucceſſor was agitated with too violent conteſts to admit of the attention of ſocieties being beſtowed upon borough-politicks. But, no ſooner was peace eſtabliſhed with the reſtoration, than the conteſt between the merchants and *trades* was renewed. The *trades* ſeem, at that time, to have been not a little puzzled to find out a cauſe of quarrel; for the chief object * of their complaint was, that the Lord Provoſt, inſtead of ſitting at the council-board, and giving his ſuffrage *viva voce*, withdrew, and voted † by proxy. They alſo claimed a privilege, which was denied to them, that the extraordinary deacons ſhould vote in the election of the baron-bailies. The trades proteſted againſt the election of the town-council. The procedure was laid before the Lords of privy council, the election ſuſtained, and the conduct of the trades condemned, as dangerous, and tending to ſedition.

The next object of conteſt between the merchants and trades was, that, whereas formerly the town-council preſented to each incorporation a liſt of three, out of which the reſpective deacons muſt have been choſen, it was now agreed unanimouſly by the merchants, as well as ‡ *trades*, that, in future, the incorporations ſhould be entitled, each of them, to ſend up to council a liſt of ſix, from which the council ſhould ſtrike off three, and that out of the remaining three the reſpective deacons ſhould be choſen. It would ſeem, that the merchants quickly repented themſelves of this conceſſion; for, within ſix months, the *trades* found it neceſſary to bring a ſuit before the Court of Seſſion, for obtaining ‖ a legal ſanction to this encroachment. The judges were extremely divided in their opinions; and a judgment was obtained in favour of the *trades* by the majority of one voice.

In

* Council reg. v. 21. p. 53.; Records of privy council, No. 1. p. 58.

† In all the ſteps of election of the town-council of Edinburgh, the whole perſons entitled to vote muſt be preſent, either perſonally, or by proxy. ‡ Fountainhall's deciſions, v. 1. p. 239.; Council reg. 17th October 1683. ‖ Fountainhall, v. 1. p. 275.

In this ſtate matters reſted till the year 1721, when the trades thought fit to advance additional claims. Among their deacons, one of them had long borne the title of *Convener*; but he now inſiſted upon being received by the town in that character, to which they made the following anſwer: 'That he was already qualified as 'deacon, and there was no mention of the office of Convener in 'the ſett.' The *trades* next demanded, that the extraordinary deacons ſhould be allowed a vote in the chuſing of all proxies; and inſiſted, that no committee could be legally appointed by council, without concurrence of the extraordinary deacons; and that the Convener was officially a member of all committees. Theſe repeated demands alarmed the merchants, who brought an action before the Court of Seſſion, for having it declared, that the ordinary council had a right to preſent to each of the different incorporations a liſt, or *leet*, of three, out of which it behoved the deacon to be choſen, without the council's firſt receiving from the *trades*, long *leets* of ſix. The trades, on the other hand, brought an action, for having the decree of A. D. 1684 enforced, and for having aſcertained to them the various privileges they claimed. Both parties, however, thought proper to ſubmit their differences to the deciſion of the Earl of Ilay, afterwards Archibald Duke of Argyle, who, in A. D. 1730, pronounced the decreet-arbitral, which, as explicative of the decree of King James, is the preſent eſtabliſhed political conſtitution of the city of Edinburgh.

This decree was received with univerſal ſatisfaction. All parties concurred in returning to Lord Ilay the moſt hearty thanks for having compoſed their differences. But thirty years had hardly elapſed, ere thoſe rights, which formerly had been ſtruggled for by the *trades*, were now affected to be conſidered by them as intolerable burthens. In their former onteſt with the merchants, a right was confirmed to the *trades*, in the election of their deacons, of preſenting to the council a *long leet* of ſix, which the latter might ſhorten to three. But now, the *trades* inſiſted, that the council

ſhould have no right of ſhortening their *leets*; that the trades ſhould ſend up no *leets*; but that they ſhould chooſe their deacons without controul of the merchant-members of council, while they themſelves had the right of voting in the election of thoſe merchants.

The occaſion of this freſh demand by the *trades* was their having conceived an umbrage againſt the adminiſtrators of the city's affairs, for their having exerted a privilege which indeed they ought, upon no occaſion, to relinquiſh, that of ſupplying the vacant churches by the mode of patronage, and not by popular call. For the *trades* expected, that, by obtaining that alteration in the conſtitution of the borough, they would be able to turn out thoſe who were then in the government of the city.

An act of council was accordingly paſſed, for applying to the convention of royal boroughs, for their authority, to aboliſh the practice of ſending up *leets* to the council, and to give the *trades* an uncontrouled power of chooſing their deacons. Certain of the merchant-members of council applied by bill of ſuſpenſion to the court, to ſtop the intended application to the royal boroughs, for theſe reaſons: 'That the reſolution complained upon was truly not an act 'of council; for that the government of the city is veſted in the 'ordinary council of twenty-five, of which thirteen was declared 'to be a quorum; and that there were not thirteen members of 'the ordinary council preſent, when the pretended act was paſſed: 'That the political conſtitution of the city was already eſtabliſhed 'by decreet-arbitral, and ratified: That the deacons could only be 'looked upon as parties; and that the extraordinary deacons had 'no right to vote. And, laſtly, that it was not in the power of the 'town-council to make any regulation for altering the conſtitution 'of the city; nor, indeed, in the power of any but the legiſlature.' Upon this application, the court granted a temporary interdict of the reſolution complained of. But the merits of the cauſe were not determined; for, upon more mature reflection, the trades did not think proper to follow forth an attempt, which, on their part, appeared palpable

palpable uſurpation; which, if ſucceſsful, would have deſtroyed the balance ſo carefully poiſed between the merchants and trades, which would have given a ſuperior influence to the body poſſeſſing the leaſt importance, and upon which the convention of royal boroughs ſeemed deſtitute of authority to enable them to decide.

From the year 1763, till 1776, the city continued to be peaceably governed, conform to the rules of the conſtitution. At this time, the chief magiſtrate of the place was a perſon to whom the citizens gave credit for liberality of ideas, and for taſte, judgment, and attention, in conducting the affairs over which he preſided. He ſeems to have anxiouſly cultivated this favourable opinion of the citizens, with a view of effectuating the overthrow of that political intereſt to which he was indebted for an introduction into the magiſtracy; and of modelling a council, which ſhould be entirely coincident with his opinions, or ſubſervient to his views. Before the Michaelmas election 1776, he was confident of a majority, that would enable him to turn out of council thoſe who were adverſe to his deſigns; but he was diſappointed in the event. 1776.

Inſtantly clamours were heard over the city, that the *trades* were an injured and oppreſſed body; that the ſhortening the *leets* was an intolerable grievance; that they laboured under many other hardſhips; which, in other words meaned, that they had in view many other claims which they intended to aſſert, as opportunity ſhould occur; but, in the mean time, they reſtricted the object of their complaint to the *ſhortening of the leets*, being adviſed by their lawyers, '*that it were better not to ſeek too much at once.*'

Mr Stodart made a motion in council, which was agreed to, 'That application ſhould be made to the convention * of royal boroughs, to alter that part of the political conſtitution of Edinburgh, which reſpected the election of deacons, as to the ſhortening of the leets: That this practice be aboliſhed, and the incorporations have the power of electing their reſpective deacons, 'without

* Council reg. 19th Feb. 19th March 1777.

'without being ſubject to any reſtraint from the town-council what-'ever.' To ſtop this application, the Lord Provoſt, and majority of the ordinary council, preſented a bill of ſuſpenſion, praying for an interdict. The reaſons of ſuſpenſion chiefly inſiſted upon were, 'That the vote complained upon, of application to the royal bo-'roughs, was not an act of council; for it was carried by the help 'of the extraordinary deacons, or *deacons not of the council*; and 'that this was none of the caſes ſpecified, in which theſe deacons 'were declared to have a right to vote: That it was incompetent 'for the town-council to take any ſtep for altering the conſtitution 'of the borough; and that, if ſuch ſtep was at all to be taken, it 'ought to be, not by the town-council, who were the repreſenta-'tives, but by their conſtituents the different bodies repreſented; 'and that the convention of royal boroughs had no power to alter 'the political conſtitution of a borough, eſtabliſhed as that of E-'dinburgh.' The cauſe was ably and keenly argued*; and, after repeated deliberations, a perpetual † interdict, in the terms prayed for, was pronounced by an unanimous judgment of the court.

CHAPTER

* See printed papers in the cauſe, *Dalrymple againſt Stodart*, dated 27th September, 27th November 1777, and 12th February, 3d March 1778, preſerved in the Advocates Library.

† Decrees of Seſſion, Dalrymple againſt Stodart, 7th Aug. 1778.

CHAPTER III.

OF the Revenue of the City of Edinburgh.

A CRITICAL inquiry into the revenues of the city of Edinburgh, is inconſiſtent with the nature of this work. It is the province of an accomptant, and a ſubject for a treatiſe by itſelf. As the affairs belonging to, and conducted by publick bodies, are, for the moſt part, very ill managed; ſo it muſt likewiſe be confeſſed, that idle, ignorant, and diſcontented people, are ever ready without proof, and often without foundation, to throw the blame of miſconduct upon the adminiſtrators of publick affairs. The management of the affairs of this city, and the criticiſms that have been made upon it, afford inſtances in ſupport of both theſe poſitions, but eſpecially of the laſt.

In former times, the chief inſtances of miſconduct and miſapplication of the city's revenues, conſiſted in the mode of feuing out the city's lands; in the Sovereign's arbitrarily exacting money from the town, or obliging her to furniſh him with men; in his obliging the city to erect, at a great expence, publick national buildings; and in the repeated extortions of Lauderdale, whoſe example deſcended through every rank, and infected the city's clerks in his time, to a degree that entitled them alſo, to be held *Prime Miniſters in rapacity and avarice.*

Beſides that the increaſed value of land, and diminution in the value of money, makes the old feu-contracts between the city and her vaſſals extremely unfavourable for the former; the adminiſtrators of her affairs were frequently in uſe to diſpoſe of land in feu, for a piece of money, to anſwer ſome immediate demand, and

a trifling feu-duty payable annually. The purchaſe-money was quickly ſpent, the feu-duties were inconſiderable, and, in this manner, the city's revenues have been impaired. It muſt be added, that, no doubt, an application from a friend, for a bit of land that lay convenient for him, has frequently had influence with the town in procuring it to be ſold at an eaſy price.

In the year 1690, the groſs revenue of the city of Edinburgh, without reckoning the duty upon ale, amounted to upwards of L. 6500 Sterling *; although, in that accompt, there is only ſtated a trifle of L. 39, as received on account of the ſhore-dues at Leith. In the year 1749, when the rents of lands and houſes were greatly increaſed, when the ſhore-dues were augmented to L. 583, when the city had received an aid to her revenue of L. 500 a year out of the twopenny duty, it amounted only to L. 6472 : 13 : 7 †. It is impoſſible for us to aſſign any reaſon for this ſtagnation, or rather retrogreſſion, in the ſtate of the city's groſs revenues.

The revenue of the city of Edinburgh is ranged principally under two claſſes, *the proper, and the appropriated*. In A. D. 1723, when the duty of two-pence Scots on the pint of ale and beer, payable within the city, was extended over the pariſh of St Cuthberts, the Canongate, and South and North Leith, a liſt of the city's debts was taken; they amounted to L. 78164 : 3 : 7. The magiſtrates were allowed, by the ſtatute extending the twopenny-duty, to borrow a further ſum of L. 25000; but prohibited from ever increaſing the city's debts more than L. 25000 beyond their then amount. For the whole of theſe debts, the duty of two pennies on the pint is liable, in the firſt place, (the bonds being ſigned by the magiſtrates as adminiſtrators of that fund), and the city's other funds are liable *ſubſidiarie*. This duty was alſo granted for the purpoſe of augmenting certain miniſters ſtipends, and profeſſors ſalaries, bringing in water, erecting public buildings, and many other purpoſes to which

* Council reg. v. 33. 26th Nov. 1690; Records of privy council, No. 1. p. 534.

† Authenticated accompts of R. Fleming treaſurer, 6th April 1750.

which its extent has proved utterly inadequate. This is the city's *appropriated revenue*. It amounted, when only exigible within the city, A. D. 1690 to L. 4000 0 0

When extended over the pariſh of

St Cuthberts, &c.	1724	to	7939	16	1
	1736		6101	10	8
	1750		* 4758	18	8
	1764		3550	0	0
And in	1776	to	2197	0	0

Such, to the propagation of idleneſs, vice, and diſeaſe, has been, among the poor, the increaſed conſumption of tea and *whiſky*.

The two-penny duty, as has been already obſerved, was extended over the pariſh of St Cuthberts, &c. with a view to enable the magiſtrates to carry on certain publick works ſince compleated, as well as many other purpoſes of general utility, then in contemplation. By the ſtatute of extenſion, they were impowered to borrow a certain ſum, and when they ſaw ariſing from this duty a noble revenue of L. 8000 a year, it was not only allowable in the magiſtrates, but their duty truly required it of them, to conſult the immediate intereſt of the citizens, by borrowing, upon the faith of this revenue, a ſum to enable them to carry on works of immediate and general utility. Much obloquy, however, and unmerited cenſure, have been thrown upon the adminiſtrators for the city, particularly upon that publick ſpirited and excellent magiſtrate, George Drummond, Eſq; for thus anticipating the city's revenues, as if it had been poſſible for them to have foreſeen, or to have conceived ſo amazing a decreaſe, in a duty ariſing from one of the moſt neceſſary articles of life.

The *proper revenue* of the city of Edinburgh conſiſts partly of the duties or taxations exigible by the town-council; ſuch as the impoſt on wines; the ſhore-dues at Leith; the duties collected at

* Neat produce.

the poultry, fiſh, meal, and other markets; the annuity, or miniſters ſtipend: Partly of their landed property, ſuch as Leith and Bruntſfield Links, Calton-hill, and Meadows, houſes and ſhops in Edinburgh and Leith: Partly of their feu-duties, as thoſe of the mills on the Water of Leith, of the houſes in the New Town, &c: Partly of what is paid for private water pipes. The *proper revenue* of the city conſiſts of theſe, and many other articles. Its groſs produce (not reckoning here the appropriated revenue) is at preſent about L. 10,000 Sterling yearly, and a gradual increaſe of it may be expected.

The city's debts are, at preſent, almoſt L. 8000 leſs than they were in the year 1723, being L. 70,195: 2: 9. This, however, muſt, in part, be owing to ſome of the town's property having ſince that been ſold; ſuch as the eſtate of Woolmet, for which L. 11,000 were received, to ſome of the leaſes let by the city being converted into feu-contracts, ſuch as that of the bakers mills, for which L. 2000 were received, &c. &c. Upon the whole, the adminiſtration of the city's funds appears of late to have been excellent, more eſpecially when we conſider, that the purchaſes, building of the bridge, making common ſewers, paving ſtreets, and other expences incurred, concerning the extended royalty alone, amounted * in September 1778, to L. 37,354: 17: 9; and, that the groſs *proper revenue* of the city is better, by a half, than it was thirty years ago.

The city treaſurer of Edinburgh, who is, *ex officio*, a member of the town-council, is no more than the town's caſh-keeper. To collect the revenues, and keep a ſtate of them, is the office of the chamberlain. As the branches of the city's revenues are various, and many of them conſiſting of very numerous, but trifling articles, it was found impoſſible for the treaſurer, during his continuance in office †, to acquire a thorough knowledge of the town's affairs: Beſides, had he underſtood them fully, ſtill their multiplicity required a labour and attention, incompatible with the management of

* The ſum then received by the city, for areas in the New Town, was about L. 13000.

† By the conſtitution of the borough, the treaſurer can continue in office but two conſecutive years.

of a ſeparate buſineſs. On theſe accounts, the town-council, in A. D. 1766, appointed an officer, with an adequate ſalary, whoſe ſole buſineſs it ſhould be, to collect, and keep an accurate ſtate of the city's revenues. This officer is called the *city's chamberlain.* The manner in which her revenues have been managed ſince the eſtabliſhment of this officer, juſtifies the wiſdom of the inſtitution, and the propriety of the choice.

CHAPTER IV.

OF Companies of Arts, Commerce, and Manufactures—Of the Fourteen Incorporations of Edinburgh—Royal College of Surgeons—Corporations of Goldſmiths — Skinners — Furriers — Hammermen—Wrights and Maſons—Taylors—Bakers—Butchers—Shoemakers—Weavers—Waukers—Bonnet-makers—Merchant Company—Bank of Scotland—Royal Bank—Britiſh Linen Company—Friendly Inſurance Office — Sun-fire-office — Liverpool-office — Poſt-office — Widows Scheme.

THE following corporations have each the right of electing a deacon, who becomes a member of council, ordinary or extraordinary. They are ſet down in order according to their precedency.

I. OF THE ROYAL COLLEGE OF SURGEONS.

The Surgeons and Barbers were erected into a corporation by a ſeal of cauſe from the town-council of Edinburgh, dated 1ſt July 1505. In this ſeal of cauſe, or charter, certain rules are preſcribed for the good order of this fraternity. King James V. ratified this charter on the 13th October 1506; and Queen Mary, in conſideration of the great attendance required of ſurgeons upon their patients, granted them an exemption from ſerving upon juries, and from *watching and warding* within the city of Edinburgh, privileges which were afterwards confirmed * by parliament.

By act of council 25th February 1657 †, the ſurgeons and apothecaries were, at their mutual deſire, united into one community, which was ratified by parliament. From the time that the arts of ſurgery and pharmacy were united, the corporation laid aſide entirely

* See an account of the trades and manufactures of Edinburgh, under the article *Leith*.

† Maitland's hiſt. B. IV.

tirely their buſineſs as barbers. This occaſioned an act of council of the 26th July 1682, recommending to this corporation to ſupply the town with a ſufficient number of perſons qualified to *ſhave and cut hair*; and who ſhould continue dependant upon the ſurgeons. But, in the year 1722, the ſurgeons and barbers were ſeparated from each other in all reſpects, except that the barbers are ſtill obliged to enter their apprentices in the regiſter kept by the ſurgeons.

By a charter of his preſent Majeſty, dated 14th March 1778, this corporation was erected of new, under the name of '*the Royal Col-*' *lege of Surgeons of the city of Edinburgh.*' This charter eſtabliſhes a ſcheme of proviſion for the widows and children of the members. By this ſcheme, beſides certain ſums belonging to the Royal College, which are allotted to it, each member is obliged to pay L. 5 a year towards it, during all the days of his life. If he dies before making four yearly payments, neither his widow nor children receive* any ſupply from the fund; but, if he ſurvives that period, and leaves a widow, ſhe is entitled to L. 25 yearly, during her widow-hood allenarly. If he dies a widower, leaving children, they are entitled in whole to L. 100. The meetings of this company are held in their own hall in the High-ſchool yards.

II. Of the Goldsmiths.

The Goldſmiths were originally incorporated with the Hammermen. At what time they were ſeparated from them, and erected into a diſtinct incorporation, is uncertain. That they were, however, a ſeparate company in A. D. 1581, is undoubted; for in that year, judicious and minute † regulations are preſcribed to them by a charter from the town-council, concerning the receiving of apprentices, and the working in gold or ſilver. By a charter of James VI. all perſons not of the corporation, are prohibited from exerciſing the

* Printed charter of the Royal College of Surgeons, A. D. 1778.

† Maitland's hiſt. B. IV.

the trade of a goldſmith within the city and liberties of Edinburgh; and, indeed, conſidering the regulations to which this company is ſubjected, it were well that this monopoly was rigorouſly enforced; nay, that over all Scotland, none ſhould be allowed to work, or deal in gold or ſilver, without having his work ſubjected to inſpection of the aſſay-maſter, who has a power of aſſaying all work performed by the corporation of goldſmiths. For all the work executed by this company undergoes a moſt accurate and faithful trial, and afterwards is impreſſed with a publick ſtamp characteriſtick of its ſtandard fineneſs; whereas, in Edinburgh, as well as other parts of the country, a ſet of people, from being pedlars, commence jewellers, and not only ſell work, which is not of ſtandard fineneſs, but alſo ſell plated work and baſe metal to ignorant people, as genuine ſilver; frauds, which the multitude of toys from Sheffield and Birmingham enables them the more readily to practiſe. This corporation has a convenient place of meeting in the Parliament Square, called Goldſmiths-hall.

III. Skinners.

The Skinners were erected into a corporation by the town-council of Edinburgh; but the time is unknown, further than it was on or before the year 1586. Regulations for their good government, and the proper conducting of their manufacture have, from time to time, been made by the town-council of Edinburgh.

IV. Furriers.

The Furriers alſo owe their exiſtence, as a body-corporate, to the town-council; the time of their being incorporated is unknown.

V. Ham-

V. Hammermen.

The Hammermen were erected into a corporation by a ſeal of cauſe from the town-council of Edinburgh of the 2d May 1483. This community, at that time, comprehended the following crafts: Blackſmiths, goldſmiths, ſaddlers, cutlers, and armourers. There are now comprehended in it, the blackſmiths, cutlers, ſadlers, lockſmiths, armourers, pewterers, ſheerſmiths, watch-makers, gunſmiths, hook-makers, pin-makers, belt-makers, founders, braziers, coppersmiths, and white-ironſmiths. This corporation meets in their hall in the Cowgate, called *the Magdalene Chapel*; becauſe it was originally a chapel dedicated to St Mary Magdalene.

VI. VII. Wrights and Masons.

They have a double repreſentation in the town-council; one deacon is annually choſen to repreſent the wrights, and another the maſons. They were incorporated by a ſeal of cauſe from the town-council, dated 15th October 1475. The privileges granted to this incorporation have been repeatedly confirmed by royal charter. It is commonly known by the name of 'The united incorporation of Mary's 'Chapel.' It conſiſts of the following crafts: Wrights, maſons, bowyers, glaziers, plummers, upholſterers, painters, ſlaters, ſievewrights, and coopers. This community has, in Niddry's-wynd, a modern hall, for holding their meetings. It is called *Mary's Chapel*, having been originally a chapel dedicated to the Bleſſed Virgin.

VIII. Taylors.

The Taylors, like other craftſmen of Edinburgh, were incorporated by the town-council. They are poſſeſſed of ſeveral charters from the town-council, which have been ratified by the Scots Kings; but the time when they were firſt incorporated is unknown.

IX. Bakers.

IX. Bakers.

A ſeal of cauſe from the town-council, in A. D. 1522, in favour of this incorporation, ſets forth, that, by their negligence in times of publick trouble, the original charter, incorporating them, was loſt, or amiſſing. By this charter, which was granted in its place, it appears, that, as each incorporation had an altar erected in St Giles's church *, and dedicated to its reſpective patron, or tutelar ſaint; ſo the chaplain got his victuals by going about from houſe to houſe, among the members of the incorporation alternately.

X. *Fleſhers, or* Butchers.

The *Fleſhers*, or Butchers, are a very old incorporation. The time of their being incorporated is unknown, further than that † it was previous to A. D. 1488; for, in that year, ſalutary regulations were preſcribed to them by the council, for having the markets ſupplied with wholeſome proviſions. By theſe regulations, it appears, that the butchers dealed in fiſh, as well as fleſh.

The inconvenience, and exceeding naſtineſs of the market-places in Edinburgh, have long been a matter of deſerved reproach upon the city. Delicacy of taſte, and delicacy of ſentiment, muſt ever be, in a certain degree, concomitant, and have a reciprocal tendency in promoting each other. A perſon who viſits the markets of Edinburgh would do well to lay aſide theſe troubleſome feelings. It is with pleaſure that we obſerve the magiſtrates becoming attentive to thoſe things which are proper for the accommodation of the citizens; and, in particular, to ſee, that new market-places are actually begun to be built. We are ſatisfied, that no attention nor expence will be ſpared to render them commodious.

XI. Cordiners.

* Charter in poſſeſſion of the corporation of Bakers.

† Maitland's hiſtory, B. 4.

XI. Cordiners.

We cannot aſcertain the time that this corporation was inſtituted. Maitland places it in A. D. 1449. But no records of council, of ſo early a date, are preſerved; and none of the corporations of Edinburgh pretend to be of an earlier erection than A. D. 1475. The charter alluded to by Maitland cannot, at preſent, be recovered; ſo we muſt reſt with obſerving, in general, that the Cordiners, or ſhoemakers, have obtained various ſeals of cauſe from the magiſtrates of Edinburgh, one * of them ratified by James VI. and that they are one of the oldeſt corporations in Edinburgh.

XII. Weavers.

Upon a petition from the weavers, they were incorporated by a ſeal of cauſe from the town-council, dated 31ſt January 1475. The petition ſets forth, that they had framed certain articles 'for the 'honour and love of God, of his mother the Virgin, and of St 'Sovrane;' and prays a ratification of theſe articles. Among others, care is taken to enact, 'That the prieſt ſhall get his meat.'

XIII. Wakers.

The *Wakers* were originally clothiers. Their buſineſs now is dwindled down to the milling and ſcouring of cloths. They appear to have been incorporated by a ſeal of cauſe from the town-council, of date the 20th Auguſt 1500. The hatters were united with this incorporation A. D. 1672.

XIV. Bonnet-Makers.

The Bonnet-makers were erected into a corporation by the town-council in the year 1530. By the faſhion of wearing hats, their

 buſineſs

* Maitland's hiſtory, p. 305.

buſineſs failed, and they fell into decay. The dyers were * united with this corporation in the year 1640.

* * * * * *

Of the Merchant Company.

The Merchants of Edinburgh were erected into a body-corporate by royal charter, dated 19th October 1681, under the name of '*The Company of Merchants of the city of Edinburgh.*' By this charter, they were impowered to chuſe a preſes, who is called, '*the Maſter of the Merchant Company,*' twelve aſſiſtants, a treaſurer, clerk, and officer. The Company were further impowered to purchaſe lands, to make by-laws for their good government, &c. But a ſalvo is inſerted, of the rights of the different incorporations of Edinburgh. The money payable to the funds of this Company was, upon the admiſſion of a member, ten ſhillings, his yearly quota two ſhillings, and, by a lad entering apprentice with a member, five ſhillings. The funds ariſing from theſe payments were chiefly deſigned for ſupport of their poor.

As theſe trifling dues were found inſufficient for the purpoſes intended, the † Company applied to, and obtained a charter from his preſent Majeſty, enabling them to levy from every member, upon his admiſſion, ſix pounds and ſix ſhillings annually.

Of the Bank of Scotland.

The Bank of Scotland was erected by act of parliament A. D. 1695. By the ſtatute of erection, this Company was impowered to raiſe a joint ſtock of L. 1,200,000 Scots, or L. 100,000 Sterling, for the

* The Candlemakers were incorporated by act of council 5th September 1517; but they have no repreſentation in council. † Royal charter in favour of the Merchant Company, 16th Auguſt 1777, in archives of the Company.

the purpoſe of carrying on a publick bank *. The ſmalleſt ſhare which any perſon could hold in this bank was declared to be L. 1000 Scots; and the largeſt ſum for which any one was allowed to ſubſcribe was L. 20,000 of the ſame money. L. 8000 are declared to be the qualification neceſſary to entitle any one to be elected governour, L. 6000 deputy-governour, and L. 3000 for each director. The management of the affairs of this Company was veſted in a governour, deputy-governour, and twenty-four directors: And, in chuſing theſe managers, each proprietor was declared to have a vote for every thouſand pounds of ſtock held by him.

The capital, or ſtock of this Company, being found not large enough to anſwer the purpoſes of a commercial country, they, in A. D. 1774, applied for, and obtained, an act, enabling them to enlarge † their ſtock. By this act, they were impowered to double their original ſtock, or to raiſe it in whole to L. 2,400,000 Scots, or L. 200,000 Sterling. Each perſon already holding ſhares was allowed to fill up the new capital, to be ſubſcribed for, in ſo far, and to the ſame extent, as he already held ſhares in the original ſtock. What remained not filled up, was to be ſold to the higheſt bidder, among the proprietors of the old ſtock, provided no one ſhould poſſeſs, in whole, above L. 40,000 Scots of ſtock; and if any ſtill remained unſubſcribed for, any one might ſubſcribe that inclined. By the ſame act, too, the double of the former ſums was declared to be requiſite, as qualifications entitling the members to be governours or directors of the Company, or to be their electors.

Agreeably to the envious policy ſo frequent among commercial companies and ſtates, when the Royal Bank was erected, that company purchaſed up all the notes of the Bank of Scotland that they could lay hands on, and made ſuch a run upon this bank, as reduced them to conſiderable difficulties. To avoid ſuch diſtreſſes for the future, the Bank of Scotland, on the 9th of November 1730, began to iſſue L. 5 notes, payable on demand, or L. 5 : 2 : 6 ſix

* Unprinted acts, 1695. † Geo. III. parl. 14. c. 32.

months after their being preſented for payment, in the option of the Bank. On the 12th of December 1732, they began to iſſue L. 1 notes, with a ſimilar clauſe. The other banking companies in Scotland found it convenient to follow the example. Bank-notes were univerſally framed with theſe optional clauſes. They were iſſued for the moſt trifling ſums, and were currently accepted in payment, in ſo much that notes for five ſhillings Sterling were perfectly common; and ſilver was in a manner baniſhed out of the country. To remedy thoſe abuſes which had crept into the banking buſineſs, an act of parliament was paſſed, A. D. 1765, prohibiting all promiſſory-notes, payable to the bearer, under L. 1 Sterling; and prohibiting and declaring void all the optional clauſes.

Of the Royal Bank of Scotland.

By the articles of union, Scotland was declared to be liable to the ſame duties which were levied by way of cuſtoms or exciſe in England. As theſe duties had, in the latter of theſe nations, been appropriated for the diſcharge of debts contracted by England before the union, it was found reaſonable to give Scotland an equivalent for this additional burthen. This ſum, given by way of equivalent, was ordained to be paid for certain purpoſes, and to certain perſons, or bodies-corporate, mentioned in the articles of union, and in poſterior ſtatutes. The proprietors of theſe ſums, to the extent of L. 248,550 Sterling, were erected into a body-corporate, under the name of the Equivalent Company; and the ſaid ſum of L. 248,550 was declared to be the joint ſtock of the Company.

Upon application from this company, they obtained a royal charter, impowering ſuch of them as inclined to ſubſcribe their ſhares in the joint ſtock for that purpoſe, to carry on the buſineſs of banking. By this charter, the ſubſcribers to this banking buſineſs were, in A. D. 1727, erected into a body-corporate, to be called the Royal Bank

BANK OF SCOTLAND. They were veſted with the requiſite powers, and the management of the Company's affairs declared to be in a governour, deputy-governour, nine ordinary, and nine extraordinary directors. And the qualifications of theſe managers were declared to be, that of the governour, to hold ſtock to the extent of L. 2000; of the deputy-governour, of L. 1500; of the ordinary directors, of L. 1000; and of the extraordinary directors, of L. 500. The ſum originally ſubſcribed was L. 111,000; but, by a charter, paſſed in favour of the Royal Bank, A. D. 1738, explaining the privileges formerly beſtowed upon them, and enabling them to increaſe their capital, they were impowered to raiſe their ſtock to a ſum not exceeding, in whole, when joined to their original funds, L. 150,000. By the charter of erection of this company, a ſhare of L. 300 entitles a proprietor to one vote, one of L. 600 to two, of L. 1200 to three, and of L. 2000 to four; and no proprietor can have more than four votes.

OF THE BRITISH LINEN COMPANY.

The government, as well as many gentlemen of rank and fortune, had exerted themſelves to encourage the manufacture of linens in Scotland. To this effect, it was thought, that the erecting of a publick company, with powers to raiſe a capital of L. 100,000, and to carry on the linen manufacture, would be conducive. *The Britiſh Linen Company* * was accordingly, by royal charter, erected into a body-corporate A. D. 1746. By their aſſiſtance, this ſpecies of manufacture came to flouriſh through the country, being carried on by private perſons, or companies; the Britiſh Linen Company ſtill continuing to promote the linen manufacture, by advancing money to thoſe engaged in carrying it on. The effect of their operations on that manufacture appears from its amazing increaſe ſince the erection of this company. The linens ſtamped for ſale in Scotland amounted

* See an account of the linen trade B. v.

amounted then to five million of yards annually, value L. 200,000. They have ſince increaſed to 13 or 14 millions, value from 6 to L. 700,000.

By the conſtitutions of this company, its affairs are declared to be under the management of a governour, deputy-governour, and five directors. It is declared a neceſſary qualification in the governour, that he be poſſeſſed of a ſhare in the company's ſtock, to the amount of L. 1000, of the deputy-governour of L. 500, and of each director of L. 300. A ſhare of L. 200 entitles a proprietor to vote in the choice of theſe managers, of L. 500 to two votes, and of L. 1000 to four votes; but it is declared that no proprietor ſhall poſſeſs more than four votes.

Of the Friendly Insurance Office.

Several proprietors of houſes in Edinburgh, in the year 1720, entered into a contract for inſuring each others houſes againſt loſſes by fire. To this effect, it was agreed among the contractors, that the proprietor of any houſe in Edinburgh, Canongate, or Leith, who was willing to become a member of this company, ſhould be entitled to have his houſe perpetually inſured againſt loſſes by fire, upon his paying a premium of 100 merks Scots upon every L. 1000 inſured, or, in other words, on payment of a fifteenth part of the value of a ſubject inſured; and this for the mutual relief of himſelf, and the other proprietors, in caſe of damage by fire, ariſing to any of the ſubjects inſured. By this contract, the ſums raiſed, by way of premium for inſurance, were declared to be the joint ſtock of the company, and each proprietor to have a proportional intereſt in it, according to his ſhare. But this ſhare was declared to be annexed, not to the perſon of the proprietor, but to the property inſured, with which it was always to be transferred.

In A. D. 1727, this company obtained a ſeal of cauſe from the town-council of Edinburgh, erecting them into a body-corporate, and

and ratifying the articles of agreement formerly entered into by them, with perpetual ſucceſſion, and various privileges, which have * ſince been confirmed by parliament. In particular, the bonds granted for the premiums already mentioned, are declared to be real burdens upon the ſubjects, for the inſurance whereof they were granted without the formality of an infeftment †.

By the good management of the company's affairs, this inſtitution, which is among the earlieſt of the kind in Britain, was found both to be beneficial to the citizens, and advantageous to the proprietors. Its affairs were carried on according to the original plan, till A. D. 1767. It was then agreed, that no more members ſhould be admitted upon the former plan; and the company finding themſelves poſſeſſed of a capital ſufficient for extending their inſurances through Scotland, they iſſued propoſals for inſuring houſes, houſehold-furniture, goods, &c. againſt damage by fire, at the ſame rates, and according to the ſame form obſerved by the Sun-fire Inſurance-office of London. It was, at the ſame time, declared, that the ſtock and profits ariſing upon it were to be the ſole property of the then company; liable, however, to make good any loſſes by fire, ariſing to any perſon who ſhould inſure his effects at their office.

In conſequence of extending their inſurances upon this enlarged plan, and of their diſcharging readily and punctually all claims made upon them, the publick have given them ſuitable encouragement. The company's affairs are managed by nine ordinary, and eighteen extraordinary directors. The ordinary directors meet regularly once a month, and occaſionally, as the deſpatch of buſineſs may require. Their meetings are held in the hall, or office, built by the company nigh the parliament-houſe. Their device is two hands joined, the motto '*Deo Juvante.*'

Of

* George II. an. 1. cap. 22. an. 26. cap. 36.

† Infeftment is a form in the Scots law, in which, by the preſenting of earth and ſtone, as ſymbols, legal delivery, and poſſeſſion of any landed property, is made to the perſon preſented with the ſymbols. Without this ceremony, no perſon can poſſeſs a real right in land.

Of the Sun-fire Office.

This company, for inſurance againſt loſſes by fire, was inſtituted at London about A. D. 1706. They were the firſt company in the iſland that inſured houſes and goods out of London. They eſtabliſhed a branch at Edinburgh, A. D. 1733, for the convenience of thoſe in Scotland who inclined to inſure their ſubjects at this office. The company inſures houſes, and other ſubjects, at the ſame rates which are required by the Friendly Inſurance-office.

Of the Liverpool Office.

A company for inſuring againſt loſſes by fire was formed at Liverpool on the firſt of January 1777. They inſtituted a branch at Edinburgh that ſame year. They inſure ſubjects at the ſame rates which are exacted by the offices already mentioned; but with this advantage to the inſured, that, in caſe of accidents, the ſufferer's loſs is paid without any deduction; whereas, at the other offices, a deduction of three *per cent.* is made upon the value of the goods deſtroyed.

Of the Post Office.

A poſt between London and Edinburgh was firſt eſtabliſhed by King Charles I. A. D. 1635. The time allowed for * the performance of the journey was three days, which is full twelve hours quicker than it is performed at preſent. This muſt appear ſtill the more expeditious, when we reflect on the vaſt improvement the poſt-roads have undergone within that period. It would appear, that a poſt was deſpatched from London and Edinburgh reſpectively, once or twice a week. The rate of poſtage was, for a ſingle letter, all under eighty miles, 2 d. between eighty and a hundred and forty, 4 d.

* Rymer's Foedera, v. 19. p. 649.

4 d. above a hundred and forty 6 d. to Scotland 8 d. double letters, the double.

In the year 1649, the parliament of England voted, that the poſt ſhould be under their ſole power and direction. In 1654, the poſt was eſtabliſhed on a new footing, by an ordinance of Oliver Cromwell. John Manley *, Eſq; was appointed Poſt-maſter General, and farmed the revenues of the poſt-office of Great Britain and Ireland, for which he paid L. 10,000 *per annum* †; whereas formerly, it is ſaid the national charge ‡ of maintaining poſt-maſters, amounted annually to L. 7000. The rates of poſtage were, at the ſame time, lowered; that is to ſay, for ſingle letters carried eighty miles, or under, as formerly; above eighty, 3 d. to or from Scotland, 4 d. to or from Ireland, 6 d. The poſt was then required to travel in ſummer, at the rate of ſeven, and in winter, at the rate of five miles an hour. By a ſubſequent regulation of the Protector's, every poſtmaſter was appointed to keep a book, and enter in it the ‖ exact time of arrival of the poſt, and the name of the perſon who carried the mail, and that it ſhould not be detained at any ſtage above ſeven minutes and a half; and the management of the poſt-office was ſolely committed to John Thurloe, Eſq; principal ſecretary of ſtate. In A. D. 1656, the parliament of the common-wealth ratified this eſtabliſhment, and veſted the appointment § of the Poſt-maſter General, in the Lord Protector and his ſucceſſors. It was again confirmed upon the reſtoration, and the revenue of the poſt-office was beſtowed ** upon the Duke of York. By a ſubſequent act in the ſame reign, this revenue was ſettled on the Duke of York and his heirs-male; and, upon †† his acceſſion to the throne, it was veſted by parliament in him, his heirs, and ſucceſſors, for ever.

* Dec. ord. and proclam. of Oliver Cromwell, and parl. v. 2. p. 669. † The poſtmaſters at the different ſtages, were alſo veſted with an excluſive privilege of keeping poſthorſes for hire. ‡ Blackſtone's commentaries, v. 1. p. 321. ‖ Dec. ord. and proc. 21ſt Aug. 1665. § Dec. ord. and proc. 17th Sept. 1656. ** Car. 2. an. 12. c. 35. †† Car. II. an. 15. c. 14. Jac. II. an. 1. c. 12.

A poſt between Scotland and Ireland was firſt eſtabliſhed A. D. 1662. The privy council gave Robert Mein, who was Poſt-maſter General for Scotland, L. 200 Sterling, to enable him to build * a packet-boat, to convey the mail between Port Patrick and Donaghadee. The poſtage of a letter from Scotland to Ireland, was then 6 d. In A. D. 1669, a poſt was appointed to go between Edinburgh and Aberdeen twice a week, and between Edinburgh and Inverneſs once a week. The rate of poſtage was declared to be, for every letter carried † forty Scots miles (about ſixty Engliſh) 2 d. and for every twenty miles further, an additional penny. But the poſt-office in Scotland firſt received the ſanction of parliamentary authority, A. D. 1695. Poſts were then appointed over all Scotland, and more than 4 d. was not allowed to be taken for a ſingle letter paſſing between any two parts in that country.

But, although poſts were eſtabliſhed, ſuch was their mode of travelling, that they hardly deſerved the name. For inſtance, a perſon ſet out with the mail from Edinburgh, for Aberdeen; he did not travel a ſtage, and then deliver the mail to another poſt-boy, but went on to Dundee, where he reſted the firſt night, to Montroſe, where he ſtaid the ſecond, and, on the third, he arrived at Aberdeen; and, as he paſſed by Kinghorn, it behoved the tide, and ſometimes alſo the weather, to render the time of his arrival more late and uncertain. In this manner the mail was conveyed thrice a week, between Edinburgh and Aberdeen; but, between moſt parts of Scotland, a poſt went only twice, between ſome only once a week, and the poſt-boy travelled on foot. About the year 1750, the mail began to be conveyed from ſtage to ſtage, by different poſt-boys, and freſh horſes, to the principal places of Scotland, and by foot runners to the reſt.

The communication by poſt between London and Edinburgh was not much better. Till the 10th of October 1763, when a poſt was eſtabliſhed

* Rec. of p. council, No. 1. p. 186. 16th Sept. 1662. † Ibid. No. 2. p. 182. 28th Jan. 1669. ‡ William, parl. 1, ſeſſ. 5. c. 20.

bliſhed five times in the week, a poſt went between theſe cities but thrice in the week, and travelled in ſo dilatory a manner, that in winter the letters which were ſent from London on Tueſday night, for the moſt part, were not diſtributed at Edinburgh till Sunday between ſermons. Even in the year 1757, ſo tediouſly were theſe deſpatches conveyed, that the mail was upon the road from London to Edinburgh *eighty-ſeven*, but from Edinburgh to London, *a hundred and thirty-one hours*. At that time, upon a repreſentation from the committee of royal boroughs, to the Poſt-maſter General, ſuch regulations were fallen upon, that the mail from London to Edinburgh was on the road but *eighty-two*, and from Edinburgh to London but *eighty-five hours*. * The poſt has, ſince that time, continued to travel in good weather, at pretty much the ſame rates. Modes may eaſily be pointed out for accelerating its journey; but, at preſent, it were better that the managers of the poſt-office would correct the unreaſonable tardineſs of the London poſt, which began to take place in harveſt laſt, when both the weather and roads were good.

In the reign of Queen Anne, the Engliſh ſtatute of Charles II. and Scots one of William, reſpecting the poſt-office, were repealed, a general poſt-office was erected anew for Great Britain †, Ireland, and America, and nearly the ſame rates of poſtage were impoſed, which take place at preſent. By this and a poſterior ſtatute, L. 700 were declared to be payable into the Exchequer weekly, out of the firſt and readieſt of the revenues of the poſt-office; and further, one-third of the ſurplus of the duties ariſing by this act, over and above what was levied in the year 1710 ‡, by the former act, and the ſaid L. 700

* Theſe improvements in the department of the poſt-office were, in a great meaſure, owing to the unwearied endeavours and attention of George Chalmers, Eſq; merchant in Edinburgh.

† An. an. 9. c. 10. George I. an. 3. c. 7. ‡ That is to ſay above L. 111,461, for that was the groſs amount of the poſt-office revenue, A, D. 1710, and alſo over and above L. 700 weekly.

weekly, was declared to be in diſpoſal of the parliament, for the uſe of the publick.

The privilege of franking letters was claimed by the Houſe of Commons ſo early * as the regular eſtabliſhment of the poſt-office at the reſtoration; but it was dropped upon a private aſſurance from the crown, that this privilege ſhould be allowed. Accordingly a warrant was conſtantly iſſued to that effect; but, as this privilege had been greatly abuſed, an act was paſſed, retrenching † the latitude formerly exerciſed in franking, but confirming by authority of parliament ſuch exertion of it as was thought conſiſtent with expediency. This ſtatute was, indeed, highly neceſſary; for ſuch were the abuſes that had crept into the practice of franking, that the amount of franked letters had gradually increaſed from L. 23,600, in the year 1715, to L. 170,700, in A. D. 1763. In the year 1765, the poſtage of letters carried only one ſtage, was reduced in England ‡ from 3 d. to 1 d. in Scotland from 2 d. to 1 d.

It has been already obſerved, that the revenues of the poſt-office general of Great Britain amounted

	A. D. 1654 to	L. 10,000
They roſe	1663 to	21,500
	1674 ‖	43,000
	1685	65,000
	1688	76,318
	1697	90,505
	§ 1710	111,461
Inland office	1715	145,227
Ditto	1744	198,226
Inl. and foreign dit.		235,492
Ditto	1764	432,048

The

* Blackſtone's com. v. 1. p. 321. † George III. an. 4. c. 24. ‡ George III. an. 5. c. 25. ‖ Anderſon's origin of commerce, v. 2. p. 122. 182.; Campbell's political ſurvey, v. 2. p. 256. § Groſs produce.

The revenues of the poſt-office general at Edinburgh amounted

A. D. 1707	to L. 1194
1730	5399
1754	8927
1757	10,623
1760	11,942
1774	30,461
1775	31,147
1776	31,103

Of the Truſtees Office.

In A. D. 1727, an act was paſſed, to enable his Majeſty * to appoint truſtees for overſeeing the fiſheries and manufactures of Scotland, and applying for their encouragement the ſums deſtined for the improvement of fiſheries and manufactures, by the articles of union, and ſome later † ſtatutes. By this act, the King may appoint for theſe purpoſes any number of truſtees, not exceeding twenty-one; and they have been appointed accordingly.

This inſtitution has been of great advantage to the country. It is in conſequence of this eſtabliſhment, and of the bounties granted upon the exportation of linen, that this valuable branch of manufacture has riſen to any importance. The Board of Truſtees diſpoſe annually of L. 4000, and upwards, in ſuch manner as appears to them moſt conducive to the improvement of manufactures. They have appointed at Edinburgh a profeſſor, with a handſome ſalary, for inſtructing, *gratis*, young people of both ſexes, in thoſe branches of drawing connected with arts and manufactures. They beſtow premiums upon thoſe who produce the beſt piece of goods in various branches of Scots manufacture; on thoſe who raiſe the greateſt quantity of good flax, &c. They, in the year 1766, opened a hall at Edinburgh, (the Britiſh Linen Hall), for the cuſtody ‡ and ſale of Scots linens, which the owners of the goods may ſell either by themſelves,

* Geo. I. an. 13. c. 25. † Geo. I. an. 5. c. 20. ‡ Concerning the linen manufactures of Scotland, and trade of Edinburgh, ſee *infra* B. 5.

themſelves, or by their factors. For whatever period the goods ſhould remain in the Hall unſold, their reſpective owners pay nothing to the proprietors of the Hall; but, upon their being ſold, 5 s. *per cent.* upon the value of the linens ſold, is demanded by way of rent for the Hall. As the opening of this hall was found to be attended with good conſequence to the linen manufactures; ſo, in A. D. 1776, the Truſtees extended it upon the ſame terms to the woolen manufactures of Scotland.

Of other Offices in Edinburgh established by Government.

Beſides thoſe already mentioned, there are other offices in Edinburgh appointed by government. Theſe have been eſtabliſhed for the purpoſes of collecting taxes, and managing certain branches of the publick revenue. They are, the Annexed Eſtates office, the offices of Exciſe, Cuſtoms, Stamps, Salt-duties, Window and Houſe taxes.

Of the Widows Scheme.

A fund has been eſtabliſhed for a proviſion for the widows and children of the miniſters of the church of Scotland, and of the principals and profeſſors of the univerſities. This fund is known by the name of *the widows ſcheme.* A happier inſtitution has rarely been formed in any country, whether we conſider the benevolence of the deſign, the ſucceſs of the inſtitution, or the admirable ſolidity of principle upon which it has been conſtructed. Previous to this inſtitution, miniſters widows were frequently reduced to the abject neceſſity of aſking publick charity. They are now ſupported comfortably and decently. This eſtabliſhment is entirely owing to the Reverend Dr Alexander Webſter, one of the miniſters of Edinburgh, who

who has lived to ſee an experimental proof of the juſtneſs of his own calculations.

Various projects had been ſet on foot, to provide for the widows and children of preſbyterian clergymen. Theſe having proved ineffectual, by reaſon of their limited nature, or for want of a common rule, and proper authority to enforce it, Dr Webſter prepared a ſcheme, which he laid before the general aſſembly A. D. 1742, for eſtabliſhing, by parliamentary authority, a fund for an annuity to the widow of every miniſter, and a ſtock for the children of ſuch as ſhould leave no widow.

Theſe were to be founded on an annual tax, payable out of their benefices, and the intereſt of a capital, ariſing from the ſurplus of the taxes during the earlier years of the ſcheme, when there would be no great burthen on the fund. As the miniſters happening to die ſooneſt would have paid leaſt into the common ſtock, the proviſions of widows and children were to be ſmall at the beginning, and to bear an increaſing proportion, conform to the ſums ſubſcribed by their huſbands and fathers. It was, in particular, provided, that, if a miniſter ſhould die before he had paid towards the fund a ſum equal to three years annuity, correſponding to the rate to which he was ſubjected, then there ſhould be deducted from the annuity due to his widow, or ſtock due to his children, ſuch a ſum as, together with the rates paid by him, (without computing intereſt thereon), ſhould be equal to three years of the ſaid annuity. But, by the plan, as it was firſt adopted by the general aſſembly, and eſtabliſhed by * parliament, theſe deductions were ſet aſide, and the proviſions for the widows and children of ſuch miniſters as ſhould die ſooneſt were declared to be as great as thoſe who ſhould live longeſt. A few years experience, however, demonſtrated the impropriety of theſe variations, and obliged the general aſſembly to recur to the Doctor's original plan, to which effect the authority of parliament was again interpoſed †.

By

* Geo. II. an. 17. c. 11. † Geo. II. an. 22. c. 21.

By the plan, as thus eſtabliſhed, the proviſion for the widows and children of clergymen of the eſtabliſhed church, and profeſſors in the univerſities in Scotland, was founded on an annual tax, diſpoſed into four different claſſes, of L. 2 : 12 : 6, L. 3 : 18 : 9, L. 5 : 5 : 0, and L. 6 : 11 : 3, to be paid by contributors, out of their reſpective benefices or ſalaries, the contributors making choice in which claſs to arrange themſelves. The proviſion was founded alſo upon a tax on marriages, equal to one year's rate; and a tax upon vacant ſtipends of L. 3 : 2 : 0 for each half-year. The ſums ariſing from theſe taxes are appointed to be applied, 1*mo*, for defraying the expence of collection, which muſt not exceed L. 250 *per annum*. 2*do*, for raiſing a fund, or capital, of L. 80,000. 3*tio*, for payment of the annuities to widows, and proviſions to children, correſpondent to the annualrents of their reſpective huſbands and fathers.

By the following table, it appears, that the Doctor's calculations, have been founded on an admirable ſolidity of principle.

TABLE of the DEATHS of MINISTERS, the number of their WIDOWS and CHILDREN, and Amount of their Proviſion, according to calculation, and according to fact.

	Calculat.	Fact.	Differ.
It was ſuppoſed, that thirty of the joint body of miniſters and profeſſors would die annually, thence, from the commencement of the ſcheme, till the 22d November 1777, being 33 years 8 months . . .	1010	981	29
That they would leave twenty widows annually, thence for the above period . .	673	645	28
That ſix families of children would, without a widow, be left annually, thence	202	188	14
That four of the conjunct body of miniſters and profeſſors would die annually, without leaving either widows or children; thence .	135	148	13

That

	Calcul.	Fact.	Differ.
That the number of annuitants at Whitſunday 1778 would amount to	307	305	
That the medium of their annuities would be	L. 20 : 0 : 0	L. 19 : 12 : 0	L. 0 : 7 : 6
That the medium of annualrents payable by contributors would be	L. 5 : 5 : 0	L. 5 : 4 : 2	L. 0 : 0 : 10
That the free ſtock at Martinmas 1778 would be	Calcul.	Fact.	Differ.
	L. 71,560 : 12 : 7	L. 75,088 : 8 : 9½	3527 : 16 : 2½

The capital was limited to L. 80,000; becauſe, about the commencement of the ſcheme, it was ſuppoſed, in conſequence of the return of preſbyteries to certain queries tranſmitted to them, that the *maximum* of widows, when the greateſt number ſhould come on the fund, would not exceed 370, in which caſe, the intereſt of a capital of L. 80,000, together with the annual rates, &c. would have been ſufficient to anſwer all the annual burdens; but, as it now appears from the more accurate returns of preſbyteries, during a period of thirty years, and new calculations inſtituted thereon, by Dr Webſter, that the number of annuitants will, in all probability, amount to 400 in life at one time, the intereſt of an additional capital of L. 20,000 will be neceſſary; and, as experience has ſhown many diſadvantages from granting a loan of L. 30 to each contributor, the laſt General Aſſembly ordered application to be made to parliament, and nominated Dr Webſter, their commiſſioner, to obtain a new ſtatute, ſetting aſide in future the loans hitherto granted to contributors, and to allow the ſurplus of the annual produce to be lent out for a farther raiſing of the capital, till it ſhall amount to L. 100,000.

CHAPTER V.

OF the Charitable Foundations in Edinburgh—Royal Infirmary—Edinburgh Diſpenſary—Charity Work-houſe—Canongate Charity Work-houſe—Orphan Hoſpital—Trinity Hoſpital—Merchant Maiden Hoſpital—Trades Maiden Hoſpital—Heriot's Hoſpital—Watſon's Hoſpital.

OF THE ROYAL INFIRMARY.

THE Royal Infirmary is undoubtedly the moſt noble of the inſtitutions in Edinburgh reared by the hand of charity. Its purpoſe is to relieve the diſeaſes of thoſe who are oppreſſed by poverty.

In A. D. 1725 *, the Royal College of Phyſicians, who had long given advice and medicines *gratis* † to the diſeaſed and indigent, meditated the eſtabliſhment of an inſtitution, which the ſtate of the poor in Edinburgh rendered ſo neceſſary. At that time, a fiſhing company was diſſolved, and the partners were prevailed upon to aſſign part of their ſtock to promote this benevolent inſtitution. A ſubſcription, for this purpoſe, was, at the ſame time, urged; and application made to the general aſſembly, to recommend a ſubſcription in all the pariſhes within their juriſdiction. The aſſembly moſt readily granted their requeſt, and ſent copies of an act to that purpoſe to the different incumbents. It met, however, with ſo little obedience ‡, that ten out of eleven of the whole eſtabliſhed clergy of Scotland utterly diſregarded it. The ſum of L. 2000 being, notwithſtanding, procured, the managers opened a ſmall houſe for reception of the ſick poor on the 6th Auguſt 1729.

After

* The hiſtory and ſtatutes of the Royal Infirmary of Edinburgh. † A full and diſtinct hiſtory of the Royal Infirmary was this year (1778) publiſhed in a treatiſe by itſelf. ‡ Maitland's hiſtory, p. 451.

A Perspective View of the Front of the Royal Infirmary from the North

After the good effects of this inſtitution, even when on a very limited ſcale, had been for ſome time experienced, the contributors towards it were, by royal charter of the 25th Auguſt 1736, erected into a body-corporate. After this charter was granted, the contributions increaſed to a conſiderable extent; ſo that the managers have been enabled from time to time to enlarge their ſcheme, and render it of more general utility. The benevolence and humanity of many individuals have afforded liberal ſubſcriptions. The Earl of Hopetoun, in particular, during the early years of this inſtitution, when * its funds were ſlender, beſtowed upon the Royal Infirmary an annuity of L. 400. In the 1750, Dr Archibald Ker of Jamaica bequeathed to this corporation an eſtate in that Iſland of upwards of L. 200 Sterling a-year. In 1755, the Lords of the Treaſury gave to the Infirmary L. 8000, which had been deſtined for ſupport of the invalids; in conſequence of which, the managers keep ſixty beds conſtantly in readineſs for the reception of ſick ſoldiers. In this year, alſo, ſick ſervants were begun to be admitted into the Infirmary, a ward having been fitted up for their reception.

But to none has the Royal Infirmary been more indebted than to George Drummond, Eſq; who was ſeven times elected Lord Provoſt of Edinburgh. As the improvement of the city, and benefit of the community, were ever the objects which he aſſiduouſly endeavoured to promote; ſo this inſtitution was, in a peculiar manner, the object of his publick ſpirited exertions. The managers of the Infirmary have teſtified their ſenſe of theſe obligations, by erecting, in their hall, a buſt of him, executed by Nollekins, with this inſcription, '*George Drummond, to whom this country is indebted for all the be-*
'*neſit which it derives from the Royal Infirmary.*'

In A. D. 1748, the ſtock of the Royal Infirmary, after paying for the area, building, furniture, &c. amounted to L. 5000. In the beginning of the year 1755, it amounted to L. 7076, beſides the Jamaica eſtate. In A. D. 1764, to L. 23,426. In 1778, to L. 27,074.

* Lord Hopetoun continued this bounty for 25 years.

The houſe conſiſts of a body and two wings, all of them three full ſtories high, with an attick one, and garrets. The body of the houſe is 210 feet long, in the middle, by 36, at the ends, by 24 feet broad. The wings are 70, by 24. The whole is laid out in a judicious and commodious manner. The acceſs to the different floors is by a large ſtair-caſe in the centre of the building, ſo ſpacious as to admit of ſedan chairs being carried up it, and a ſmaller one in each end. The apartments of the male and female patients are entirely diſtinct. In them 228 ſick people can be accommodated, each in a diſtinct bed. Beſides theſe, and the apartments for the neceſſary officers and ſervants in the houſe, there are, the managers room, a conſulting room for the phyſicians or ſurgeons, a waiting room for the ſtudents, and a theatre, where upwards of 200 ſtudents may ſee chirurgical operations. The medical and chirurgical patients are kept in diſtinct wards; there are wards for female patients undergoing ſalivation, and cells for mad people. There are alſo cold and hot baths, for the uſe of the patients, and others for the citizens at large; and to theſe the patients in the hoſpital are never admitted. In the diſpoſition of this whole building, nothing has been more anxiouſly ſtudied than ventilation.

The Royal Infirmary is attended by two phyſicians, elected by the managers, who viſit their patients daily in preſence of the ſtudents. The chirurgical wards are attended by all the members of the College of Surgeons, each officiating for the ſpace of a month, in rotation, according to ſeniority. But, when any one, from want of health, or other circumſtances, declines attendance, he is not allowed to officiate by a depute of his own appointment; but the care of the hoſpital is committed to one of four aſſiſtant ſurgeons, choſen annually by the managers. Under ſuch teachers, the hoſpital at Edinburgh affords as good opportunities for education in medicine and ſurgery as any other.

But beſides this, from an eſtabliſhment in ſome meaſure peculiar to itſelf, it enjoys other advantages as a ſchool of medicine. That

eſtabliſhment

eſtabliſhment is the clinical lectures, which have been given there for many years. Two wards are ſet apart in the hoſpital for thoſe patients whoſe caſes are the moſt intereſting and ſingular, the one for men, the other for women. Theſe patients are attended either by one or more of the medical profeſſors in the Univerſity, or by any other phyſicians ſufficiently qualified for the office, whom the managers may be pleaſed to nominate. Here the moſt minute attention is paid to every circumſtance of the diſeaſes during their whole progreſs; and every induſtrious ſtudent keeps a journal for himſelf, of the reports taken daily from the mouth of the phyſician, in which are accurately related all the effects reſulting from the uſe of medicine.

But, beſides the knowledge which is thus communicated to the ſtudents experimentally and by example, they have farther the advantage of hearing the grounds of this practice afterwards fully illuſtrated and explained in lectures. In ſhort, it is hardly poſſible to conceive any plan of medical education better fitted for communicating uſeful knowledge; beſides other advantages from the number of ſtudents who attend the hoſpital, (each of whom pay three guineas annually), a very conſiderable fund ariſes from their fees for defraying the expences of the houſe.

To add any thing concerning the care and attention which are beſtowed upon the patients, would be very ſuperfluous, ſince, in the following table, there is ſuch an experimental proof of the ſucceſs with which that care and attention have been bleſſed.

ACCOUNT of PATIENTS in the ROYAL INFIRMARY at Edinburgh, from 1ſt January 1762, to 1ſt January 1776.

In the hoſpital 1ſt January 1762 . . .	109
Admitted into it during the years 1762, 3, 4, 5, 6, 7, 8, 9	6261
Total in the hoſpital from 1ſt Jan. 1762, to 1ſt Jan. 1769 ——	6370

Of

Of theſe there were cured	4394	
Diſmiſſed, relieved	540	
Incurable	108	
Dead	358	
For irregularities	106	
Diſmiſſed by deſire, or gone out of their own accord	732	
Remaining in the hoſpital 1ſt January 1770	132	
Total of cured, diſmiſſed, &c. &c.		6370
In the hoſpital 1ſt January 1770	132	
Admitted that year	1170	
Total		1302
Of theſe there were cured	791	
Diſmiſſed, relieved	188	
Incurable	7	
Dead	57	
For irregularities	23	
Diſmiſſed by deſire	91	
Remaining in the hoſpital, 1ſt January 1771	145	
Total of cured, diſmiſſed, &c.		1302
In the hoſpital 1ſt January 1771	145	
Admitted that year	1454	
Total		1599
Of whom there were cured	1071	
Diſmiſſed, relieved	206	
Incurable	12	
Dead	66	
For irregularities	11	
Diſmiſſed by deſire	90	
Remaining in the hoſpital, 1ſt January 1772	143	
Total		1599
In the hoſpital January 1ſt 1772	143	
Admitted	1447	
Total		1590

Of

Of theſe cured	1078	
Relieved	180	
Incurable	10	
Dead	54	
Diſmiſſed as irregular	11	
Diſmiſſed by deſire	84	
Carried on to next year	173	
Total		1590
In the hoſpital January 1. 1773	173	
Admitted	1709	
Total		1882
Of theſe cured	1392	
Relieved	158	
Incurable	21	
Dead	79	
Diſmiſſed as irregular	5	
Diſmiſſed by deſire	39	
Carried on to next year	188	
Total		1882
In the hoſpital January 1. 1774	188	
Admitted	1696	
Total		1884
Of theſe cured	1410	
Relieved	146	
Incurable	8	
Dead	62	
Diſmiſſed as irregular	4	
Diſmiſſed by deſire	87	
Carried on to next year	167	
Total		1884
In the hoſpital January 1. 1775	167	
Admitted	1795	
Total		1962

Of

Of theſe cured	1560	
Relieved	101	
Incurable	8	
Dead	61	
Diſmiſſed as irregular	8	
Diſmiſſed by deſire	40	
Carried on to next year	184	
Total	——	1962

From this table, it appears, that, from A. D. 1770, to A. D. 1775, *incluſive*, the number of patients admitted annually, at an average, has been 1567, and of deaths 63; ſo that the proportion of deaths annually, has been nearly as one to twenty-five. But, in the year 1776, there were admitted 1668 patients, of whom there died 57; and in A. D. 1777, there were admitted 1593, of whom there died 52; ſo that, in theſe two years, the proportion of dead to ſurviving patients was nearly as one to twenty-nine. If Dr Price's calculations * and concluſions reſpecting the city of Edinburgh are juſt, how fortunate are thoſe of its inhabitants, *who are* † *ſick patients in the Royal Infirmary?*

Of the Publick Dispensary.

The Publick Diſpenſary of Edinburgh was founded by Dr Duncan, phyſician there, A. D. 1776. This eſtabliſhment is alſo intended for the benefit of thoſe who are at once ſubjected to poverty and ſickneſs. But, to avoid any interference with the Royal Infirmary, it is entirely confined to thoſe whoſe diſeaſes are of ſuch a nature, as to render it either unneceſſary or improper, that they ſhould be admitted into an hoſpital.

Patients

* See Book 3. c. 1. † It muſt, however, be obſerved, that, although the patients under acute diſeaſes are never ſent out of the houſe till the diſeaſe terminates in recovery or death, ſtill ſome of the patients may die of other diſtempers, and in other places, which deaths do not fall within this account,

Patients who are deemed proper objects for this charity, receive advice at the Diſpenſary from the phyſicians of that charity, who give regular attendance for that purpoſe, at a certain hour, four days in the week. A full account of the diſeaſe of every patient, taken down in writing by the medical aſſiſtant at the Diſpenſary, is inſerted into a regiſter kept for that purpoſe; and, to the hiſtory of the caſe, there are afterwards ſubjoined regular reports of the progreſs of the diſeaſe during the courſe of the patient's attendance at the Diſpenſary, and of the effects reſulting from the medicines which are employed.

From the funds of the Diſpenſary, the patients who are admitted to the benefit of this charity, are ſupplied with medicine *gratis*; and, as the phyſicians officiate without any ſalary, this is almoſt the only expence attending the charity. It is computed, that, from an annual revenue of L. 100, upwards of five hundred patients may be admitted to the benefit of it. But, while a ſmall ſum may be thus extenſively uſeful, the Diſpenſary has farther the advantage of being a charity of ſuch a nature, that it can hardly be abuſed; for, as the patients receive nothing but medicines previouſly compounded, theſe cannot poſſibly be appropriated to any other purpoſe but for the recovery of their own health.

The annual expence of this inſtitution is defrayed from two ſources; from charitable contributions given by the humane and benevolent, and from a ſmall annual fee, exacted under the name of medicine-money, from ſtudents of medicine who attend the lectures given by the phyſicians of the Diſpenſary, on ſuch ſingular and important caſes as occur.

The utility of this inſtitution, as giving a foundation for medical lectures, muſt be great. It is univerſally admitted, that no branch of medical education is better calculated for conveying uſeful information to ſtudents, than proper remarks on diſeaſes, as they occur in practice; and, as the benefits of this charity are entirely confined to particular chronical diſeaſes, the ſtudents have here an opportunity

of ſeeing the treatment of caſes, which it would even be cruelty to admit into an hoſpital, and of hearing this practice illuſtrated and explained. While, therefore, the number of medical ſtudents at Edinburgh continues to be as great as it is at preſent, the fees collected from pupils will probably furniſh a ſum by which the benefits of this charity may be extended to a conſiderable number of indigent individuals.

But, as this muſt always be a precarious and limited ſource, it is intended, that this charity ſhould be farther ſupported by voluntary contributions from the inhabitants. Every perſon ſubſcribing one guinea to the funds of this charity, is entitled to hold the rank of governour for the ſpace of two years after his ſubſcription is paid; and every one ſubſcribing five guineas, becomes a governour for life.

The phyſicians and other officers to this charity are elected by the governours. Patients recommended by governours, are admitted to the benefits of it, in preference to all others; and every part of the charity is ſuperintended by a committee of governours, who are choſen annually, at a general meeting held for that purpoſe, on the laſt Monday of January.

During the firſt year, upwards of two hundred and twenty patients were admitted to the benefits of it.

ACCOUNT of PATIENTS treated at the DISPENSARY at Edinburgh for two years, from 1ſt November 1776, to 1ſt November 1778.

	from 1776 to 1777	to 1778
Cured	79	221
Relieved	57	110
* No better	39	137
		Dead

* Among the patients diſmiſſed from the Diſpenſary *no better*, are included not only thoſe who were conſidered by the phyſicians to be incurable, or who were diſmiſſed at their own deſire, but likewiſe all thoſe to whom it was recommended to reſide, for ſome time, at a diſtance from Edinburgh, or to apply for admiſſion into the Royal Infirmary, as changes which had taken place in their diſeaſes, rendered confinement neceſſary for their recovery.

	from 1776 to 1777	to 1778
Dead	5	3
Remaining under treatment	42	40
Total ſupplied with medicine 1ſt year	222	2d year 511

Of the Charity Work-house.

To eſtabliſh a proper mode for ſupporting the poor, is a matter of much importance, and * appears to be attended with great difficulty. The nature of our work will not admit a diſquiſition into this ſubject; we cannot, however, paſs it over in ſilence.

No legal eſtabliſhment providing and compelling charity for the poor, has hitherto been put upon a proper footing. Indeed, the moment that compulſion takes place, charitable motives are at an end. The poors laws in England are almoſt equally pernicious to thoſe who pay, and thoſe who receive the benefit. Upon the wealthy and induſtrious, they are groſs oppreſſion; to the indigent labourer they are enticement to idleneſs and debauchery; to a ſet of rapacious managers for the poor, they are alone acceptable; as to them, they are a fund of peculation, gluttony, and drunkenneſs. This very circumſtance, which ought, in a double manner, to render poors-rates odious and abominable, has, in many places, been a motive towards their eſtabliſhment. The citizens of Edinburgh are often expoſed to undue attempts to ſaddle them with unneceſſary impoſitions. It is rare that many years elapſe without a propoſal for a new tax upon them, as if the exigencies of the ſtate did not require them to be taxed ſufficiently.

At one time, (1758), one claſs of people propoſed to levy 6 d. a pound on the whole real rents of Edinburgh, on pretext of the city's

* On this ſubject, ſee an admirable treatiſe by Lord Kaimes, Sketches of the hiſt. of man, Book II. ſect. 10.

being in want of water; but the ſcheme being defeated by oppoſition from the inhabitants, means were found to have the city-well ſupplied with water, without laying on the inhabitants a ſingle farthing. At another time, (1773), it was propoſed, that, as the ſum collected, at a medium, for ſupporting the Charity work-houſe, fell ſhort L. 94 : 19 : 6 annually, of the expence of its maintenance, a poors-rate ſhould be impoſed of eight *per cent.* on the valued rent of the city, which, as its valued rent, without including the Canongate and Leith, exceeds L. 40,000 *per annum*, would have amounted to L. 3200 a year; or, in other words, out of L. 3200 a year propoſed to be levied from the inhabitants, not a two and thirtieth part was neceſſary. This modeſt propoſal was alſo defeated by oppoſition from the inhabitants, who made up the deficiency by a voluntary contribution.

At a period ſtill later, (1775), another claſs of people propoſed a ſcheme, which, had it been to coſt nothing, would have almoſt ruined the property in the antient and extended royalties; for which deſtruction of their property, the ſufferers were to pay a tax, probably not under L. 3000 *per annum*. This ſcheme being deemed ſtill more incongruous, it alſo was ſtrenuouſly oppoſed, and fell, to riſe no more.

A poors rate would be ſtill the more oppreſſive in Edinburgh, ſince, if it was not made general over Scotland, the number of beggars flocking to the place, would probably increaſe in proportion to the proviſion made for them. Even charity work-houſes are by no means found to be attended with the good conſequences which were expected from them.

Setting aſide a poors-rate, they are the moſt uncomfortable for the poor, the moſt productive of vice, and the moſt expenſive to the publick, of any mode of proviſion invented for ſupport of the indigent. They are the moſt uncomfortable for the poor, and productive of vice; becauſe they ſtrip the mind alike of every motive to action and ſource of pleaſure. The idle are provided for; and moſt of

of the fruits of the induſtrious goes to the hoſpital. When people labour under bodily diſtreſs, diſabling them from work, and, at the ſame time, are reduced to poverty, almoſt the only pleaſure they can enjoy is from a reciprocal exerciſe of the ſocial duties and affections. Now, in a charity work-houſe, theſe are almoſt compleatly eradicated. Farewell friends and family, parents and children. Inſtead of theſe, the pauper finds himſelf in a motely croud of the profligate and the good. He can no longer gratify theſe tender feelings, nor reap from them, in return, thoſe kind offices, which his age, his infancy, or his diſeaſe, renders ſo requiſite. He breathes the noxious air of an hoſpital, and, be his appetite keen or weak, be he in health or ſickneſs, the quality and proportion of food allowed him are generally the ſame. How deſtructive, in particular, a publick hoſpital is to infants, needs not be pointed out. It is the moſt expenſive to the publick; for, notwithſtanding all the frugality that is ſtudied, it is found, that the whole perſons in the houſe, young and old, coſt, at an average, L. 4 : 10 : 0 yearly. Now, a journeyman in Edinburgh, unleſs of the better ſort, rarely earns more than L. 14 a year. Suppoſe him married, and that he has three children; and this ſurely is no extraordinary caſe; out of the L. 14 muſt be deducted L. 2 for houſe-rent, and publick burthens; and from the remaining L. 12 his family, of five perſons, is maintained. That is to ſay, an induſtrious man can make ſhift to live comfortably upon L. 2 : 8 : 0 a year for his family overhead; whereas a publick beggar is uncomfortably ſupported upon L. 4 : 10 : 0.

It appears, then, that publick hoſpitals for beggars are an improper inſtitution, and that it were better to maintain them in their own houſes. Indeed, we do not think the feelings of compaſſion are ſo much extinguiſhed, that there is a neceſſity for eſtabliſhing any compulſatory laws for raiſing a fund for the poor. Few people can ſee, without pain, a horſe or a dog pinched by want, or oppreſſed by diſeaſe, far leſs a human creature. It is probable, that a ſufficient ſum would always be got for maintaining the poor, were a voluntary

voluntary collection made monthly, or oftener at each houſe, for the poor of the pariſh; and a liſt kept of the heads of families, with an account of what each maſter of a family reſpectively gives. Or, if that ſhould fail, the mode of allowing the landholders in each pariſh to impoſe a tax in their reſpective bounds, the one half payable by themſelves, the other by the tenants and poſſeſſors, as directed by act of Charles II. parl. 1. ſeſſ. 3. c. 16. is perhaps as proper as any compulſatory mode for their proviſion that can be deviſed.

It would appear, that Maitland, in his hiſtory of Edinburgh, has given an accurate ſeptenary * account of the number of burials in Briſtol down till A. D. 1748. He alſo gives an account of thoſe in Edinburgh for the ſame period. By calculating the number of inhabitants in both cities, upon the *data* of burials, and ſuppoſing both towns to be equally mortal, he, with every allowance in favour of Briſtol, makes the inhabitants of Edinburgh, at that period, to exceed in number thoſe of Briſtol by 2436. How much this city may have increaſed ſince that period, we know not; the former, we know, has increaſed vaſtly †. Anderſon, in his origin of commerce, makes the number of inhabitants in Briſtol in A. D. 1758 to amount to 100,000. This, indeed, he does upon the moſt vague of all grounds, an anonymous calculation in a periodical paper, and his ſubſequent perambulation of the ſtreets for two ſucceſſive days. According to Lord Kaimes, the number of poor in Briſtol, about A. D. 1773 ‡, amounted to 10,000. If this fact be well founded, even reckoning the number of its inhabitants upon the largeſt ſcale, How important the concluſion? In that city, where heavy poor's-rates are eſtabliſhed, a city where wealth abounds, and commerce flouriſhes, the number of poor amounts to 10,000. In Edinburgh, again, where the number of inhabitants is probably not much different, where the proviſion for the poor is more moderate, and where there

* Maitland's hiſt. p. 221. † Anderſon, v. 2. p. 422. ‡ Sketches of man, Book 2. ſect. 10.

there are infinitely leſs wealth and commerce, the number of publick poor does not exceed* 1800.

The Charity work-houſe of Edinburgh was built A. D. 1743, the expence being defrayed by a voluntary collection made among the different ſocieties and individuals in the place; and the houſe was opened for reception of the poor that ſame year at Midſummer. The poor are employed in ſuch pieces of labour as they are beſt fitted for †, and are allowed two-pence out of every ſhilling they earn. The number of perſons maintained in it from 1ſt January 1777 to 1ſt January 1778, was,

Of men and women 484. Out of whom died 52.
Of children ‡ 180. Out of whom died 9.

The expence of their maintenance amounted to L. 4 : 11 : 7 each, over-head. The expence is paid by a tax of two *per cent.* on the valued rents of the city; by the half of the profits of the Ladies Aſſembly-room; by the collections at church-doors, and other charitable donations; and by what is got for any labour performed in the houſe. If there is any deficiency, it is ſupplied by a voluntary contribution among the citizens.

The government of the houſe is veſted in ninety-ſix perſons, who meet quarterly; but its ordinary affairs are under the direction of fifteen managers, who meet weekly. There are a treaſurer, chaplain, ſurgeon, and other officers.

Of the Canongate Charity Work-house.

The Canongate Charity work-houſe, like that of Edinburgh, was built by ſubſcription among the inhabitants. It was opened for the reception

* In this number, the boys who are educated in Heriot's hoſpital, thoſe in all the other hoſpitals and poor's-houſes in Edinburgh and the ſuburbs, and the poor in North and South Leith, are included. † The value of the whole work performed by the poor in the Charity work-houſe laſt year, being 664 in number, was L. 293 : 2 : 8.

‡ It is to be obſerved, that children under two years of age are not kept in the Charity work-houſe of Edinburgh, Canongate, or St Cuthbert's.

reception of the poor in the year 1761. The number of perſons maintained in the houſe is about 90; and there are beſides about 40 out-penſioners; the annual expence is about L. 500. This is defrayed chiefly by collections at the church-door, and by voluntary contribution, no aſſeſſment whatever being laid upon the inhabitants. The management of the houſe is veſted in perſons choſen annually from among the publick bodies and ſocieties in the Canongate. The managers have weekly and quarterly meetings; and, in general, the buſineſs and the funds of this hoſpital are conducted with attention, and adminiſtrated with fidelity. The number of perſons maintained in the houſe, at a medium, in A. D. 1777, was,

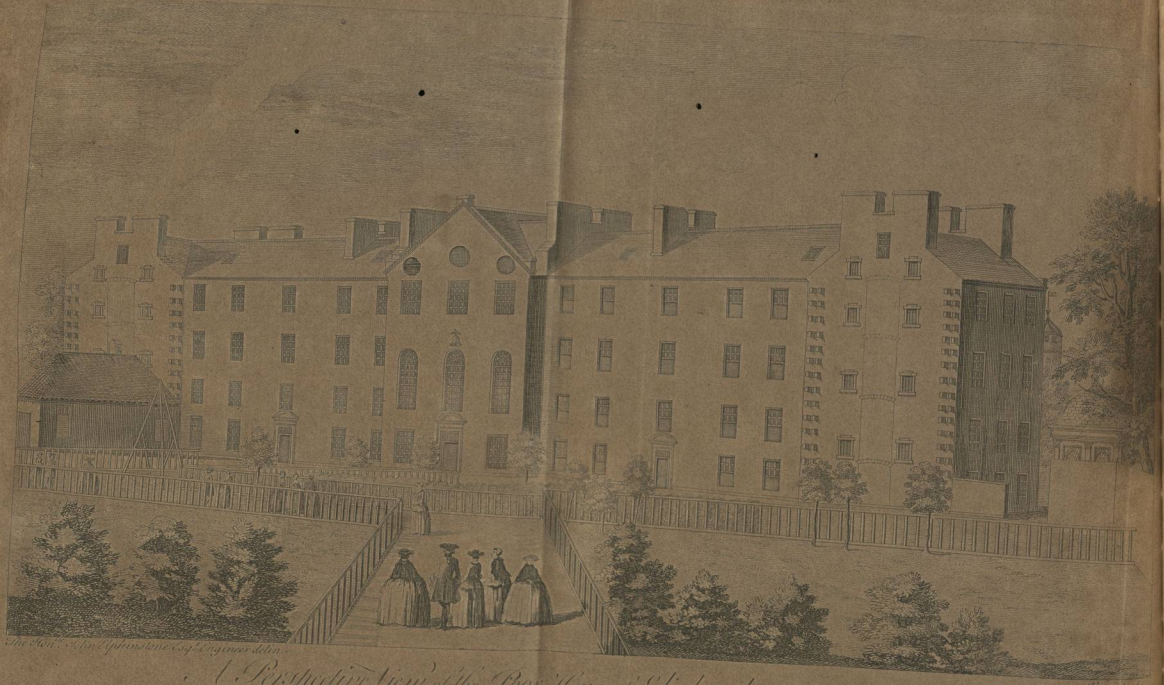
	Of men and women 62.	Out of whom died 7.
	Of children 36.	Out of whom died 1.
In 1778.	Of men and women 60.	Out of whom died 3.
	Of children 36.	Out of whom died 2.

Of the West Kirk Poors-House.

The Weſt Kirk poors-houſe was built A. D. 1761, and opened for the reception of the poor on the 27th May 1762. Like thoſe of Edinburgh and the Canongate, this houſe alſo was built by voluntary contribution. The expences of the houſe are defrayed partly by the collections at the church-doors, by voluntary donations made to the houſe, and by an aſſeſſment on the real property within the pariſh. The poor in this houſe are maintained at a ſmaller expence than thoſe in the Edinburgh and Canongate Charity work-houſes, the average expence of each perſon in the houſe being only L. 4 : 1 : 6 yearly. The number of perſons maintained in it, at a medium, for four years preceding May 1778, was, beſides out-penſioners,

Of men and women 105.	Out of whom died 18.
Of children 53.	Out of whom died 3.

Of



A Perspective View of the Poor House of Edinburgh as it now stands unfinished.

Of the Orphan Hospital.

An hoſpital for maintaining and educating orphans was planned by Andrew Gardiner merchant, and other inhabitants of Edinburgh, A. D. 1732. The plan was countenanced by the ſociety for propagating Chriſtian knowledge, and other ſocieties and individuals; and it was aſſiſted by a liberal ſubſcription, and by collection at the church-doors. In November * 1733, the managers of this charitable inſtitution hired a houſe, took in 30 orphans, maintained them, and inſtructed them in reading and writing, and in the weaving buſineſs. In the year 1735, they were erected into a body-corporate, by the town-council of Edinburgh. In A. D. 1742, they obtained a charter of erection from his late Majeſty, appointing moſt of the great officers of ſtate in Scotland, and the heads of the different ſocieties in Edinburgh, members of this corporation, with powers to them to hold real property, to the amount of L. 1000 a year. The revenue of this hoſpital is very inconſiderable. It is chiefly ſupported by benefactions from charitable perſons, and a proportion of the ſums collected at the church-doors. Its benefits are not confined to the citizens of Edinburgh; but orphans from any quarter of the kingdom are received in it. None, however, are admitted into it under ſeven years of age, nor continued in it after they are fourteen. At that time of life, the managers are ſeldom at a loſs to diſpoſe of them, the young folks generally chooſing to follow trades; and the public entertaining ſo good an opinion of the manner in which they have been brought up, that manufacturers and others are very ready to take them into employment. There are about one hundred orphans maintained in this hoſpital.

Of the Trinity Hospital.

The Trinity College church and hoſpital were founded by Mary of Gueldres, conſort of James II. and amply endowed. At the re-

* Maitland's hiſt. p. 464.

formation, this inſtitution ſuffered the fate common to other popiſh eſtabliſhments *; it was deſpoiled of its revenues. The Regent Murray, however, beſtowed them on Sir Simon Preſton, provoſt of Edinburgh, who generouſly gave them to the citizens for the uſe of the poor. Their right to this property, however, was not compleat till A. D. 1585, when the town-council purchaſed from Robert Pont, then provoſt of Trinity College, his intereſt in theſe ſubjects; and the whole tranſaction was afterwards ratified by James VI.

The old hoſpital † being in a ruinous condition, part of the buildings formerly occupied by the provoſt and prebends was fitted up for the reception of the poor. It was deſtined for the ſupport of decayed burgeſſes of Edinburgh, their wives, and unmarried children, not under fifty years of age. Five men, and two women, were admitted into it; and the number gradually increaſing, amounted, A. D. 1700, to fifty-four perſons. It was found, however, that the funds of the hoſpital could not then ſupport ſo many; and the number of perſons maintained in it has frequently varied. At preſent, there are maintained within the hoſpital 40 men and women; and there are beſides 26 out-penſioners. The latter have L. 6 a year; the former are maintained in a very comfortable manner. Each perſon has a convenient room. The men are each of them allowed, of cloaths, a hat, a pair of breeches, a pair of ſhoes, a pair of ſtockings, two ſhirts, and two neckcloths, yearly; and every other year a coat and waiſtcoat. The women have yearly a pair of ſhoes, a pair of ſtockings, two ſhifts, and every other year a gown and petticoat. For buying petty neceſſaries, the men are allowed eight ſhillings and eight-pence, the women, ſix and ſix-pence, yearly. Of food, each perſon has daily allowance of twelve ounces of houſehold bread; and of ale, the men of a Scots pint each, the women, of two-thirds of a pint. For breakfaſt, they have oat-meal porridge; and for dinner, four days in the week, broth, and boiled meat, two days, roaſted meat, and each Monday, in lieu of fleſh, the

* See Book II. c. 3. † Maitland's hiſt. p. 480.

the men are allowed two-pence, the women, threehalf-pence a piece. The fleſhes allowed them are beef, mutton, or lamb, the moſt reaſonable in their prices. There is alſo a ſmall library for their amuſement.

This inſtitution appears to be ſo much calculated, not barely for the ſubſiſtence, but alſo for the comfort of the indigent perſons, for whoſe relief it is intended, that it muſt be allowed to wear a truly beneficent aſpect. Yet, the behaviour of the perſons maintained in this hoſpital, although they are a claſs above the vulgar, and are ſo comfortably ſubſiſted, ſupports the argument againſt maintaining the poor in a congregate body, and publick poor's-houſe. The quarrels and riots among them were ſo frequent, the ſelling the victuals allowed them, and applying the price to improper purpoſes *, and their naſty way of living, (to which the poor people in Scotland are exceedingly addicted), as aroufed very lately the attention of the governours, endeavouring to correct theſe abuſes. Indeed, the mob ſeems a monſter ſo little affected by reaſon, and ſo powerfully influenced by religion, that frequent ablutions ought to be inculcated, as a part of the Chriſtian, as it has been of the Jewiſh and Mahometan religions; and to this, the ceremony of baptiſm, in the Chriſtian diſpenſation, ſeems particularly to point. The publick have viewed this inſtitution in ſo favourable a light, that it has been enriched by many pious donations, eſpecially from the citizens of Edinburgh. The preſent funds of the hoſpital are, a real eſtate in lands and houſes, of groſs rent of L. 762 a year, and L. 5500 lent out in bonds at 4 *per cent.* Its expences from 1ſt November 1777 to 1ſt November 1778, publick burthens included, were L. 894. The town-council of Edinburgh, ordinary and extraordinary, are governours of this hoſpital.

* Council reg. 29th July 1778.

Of the Merchants Maiden Hospital.

This charitable foundation was eſtabliſhed in the end of the laſt century, by voluntary contribution, to which the company of merchants in Edinburgh, and Mrs Mary Erſkine, a widow gentlewoman, lent particular aſſiſtance. It is deſtined for the education and maintenance * of young girls, daughters of the merchant burgeſſes of Edinburgh. The governours were erected into a † body-corporate by act of parliament A. D. 1707. At preſent, 70 girls are maintained in this hoſpital. Its groſs annual revenue is no leſs than L. 1350; yet the girls, upon leaving the houſe, (except a few who get L. 8 : 6 : 8), receive only L. 3 : 6 : 8 out of the hoſpital's funds; but the profits ariſing from work done in the houſe are alſo divided among the girls, in proportion to their induſtry.

Of the Trades Maiden Hospital.

The incorporations of Edinburgh, excited by the good example of the company of merchants, became deſirous to eſtabliſh, for the daughters of decayed members, an inſtitution ſimilar to that juſt mentioned. A contribution was accordingly made among the different companies of artificers in Edinburgh, and an hoſpital fitted up about the year 1704, deſtined for the education and ſupport of decayed trades-burgeſſes of Edinburgh. This eſtabliſhment was ratified in parliament, by an act ſimilar to that incorporating the governours ‡ of the Merchant Maiden Hoſpital; and Mrs Mary Erſkine, the beneficent foundreſs of the Merchant Maiden Hoſpital, extended her charity in ſo liberal a manner, to that deſtined for the daughters of tradeſmen, that its governours voted her *joint foundreſs* of this hoſpital alſo, and gave other teſtimonies of gratitude for her bounty. Fifty girls are maintained in this houſe. They pay of entry-money, when admitted into it, L. 1 : 13 : 4; and, when they leave it, they receive

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* Maitland's hiſt. p. 460. † An. parl. 1. ſeſſ. 4.; Unprinted acts. ‡ Ibid.

A Perspective View of the Front of the Marden Hospital from the North.

a bounty of L. 5 : 11 : 1⅓. The preſent revenues of the hoſpital amount to about L. 600 a year.

Of Heriot's Hospital.

George Heriot, the founder of this hoſpital, was a goldſmith in Edinburgh. He bore his father's name, and followed his occupation. It appears from his contract of marriage with the daughter of a merchant in Edinburgh, 14th January 1586, that the proviſion ſettled on him by his father, joined to the dowry he got with his wife, amounted in all to L. 214 : 11 : 8 Sterling. In the year 1597, he was appointed goldſmith to Anne of Denmark, James VI.'s Queen; and ſoon after, he was appointed goldſmith and jeweller to the King. Upon his Majeſty's acceſſion to the throne of England, Heriot followed his maſter to London. Being a widower, he came to Edinburgh, and, in A. D. 1608, took a ſecond wife, with whom he got a dowry of about L. 333. He returned to London, ſurvived his ſecond wife alſo, and died there on the 12th February 1624, without leaving any lawful children.

Of what wealth Heriot died poſſeſſed, is uncertain, but probably it was not under L. 50,000. He left legacies to two natural daughters, and to his other relations and friends, to a great amount. The reſidue of his eſtate he left to the town-council ordinary, and the miniſters of Edinburgh, in truſt, for building and endowing an hoſpital for the maintenance and education of indigent children, the ſons of burgeſſes of that city. The town-council and miniſters employed Sir John Hay of Baro, afterwards clerk-regiſter, to ſettle accompts with Heriot's executors in England. By the accompt ſettled between Sir John Hay, and the governours of this Hoſpital, 12th May 1627, and ſince approven of by * decree of the Court of Seſſion, the ſum received by the governours, after deducting legacies, bad debts, and compoſitions for debts reſting by the crown, amount-

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* Extracted decree of the Court of Seſſion, Alexander Brown and others, againſt the governours of Heriot's Hoſpital, 26th November 1766.

ed precisely to twenty-three thousand six hundred and * twenty-five pounds ten shillings and three-pence halfpenny Sterling.

The governours began to raise the magnificent fabrick called *Heriot's Hospital*, in July 1628, according to a plan of Inigo Jones, as is reported, and adopted by Walter Balcanqual, Doctor of Divinity, one of the persons whom Heriot appointed to superintend the execution of his latter will. The national disturbances which arose A. D. 1639, for some time interrupted the work; but it was renewed A. D. 1642, and finished in the year 1650, at an expence of upwards of L. 30,000 Sterling †; and Cromwell having taken possession of Edinburgh, after the battle of Dunbar, quartered his sick and wounded soldiers in the hospital. To this purpose, the hospital continued to be applied till A. D. 1658, at which time General Monk, commander of the English forces, at the request of the governours of the hospital, and upon their offering to accommodate the soldiers elsewhere, removed them from the hospital. It was opened for the reception of the sons of burgesses, and 30 boys admitted into it, on the 11th April 1659. In August thereafter, they were increased to forty, and in the 1661, to fifty-two. In A. D. 1753, the number of boys was raised to a hundred and thirty; in 1763, to a hundred and forty, but the present number of boys maintained in it is a hundred and ten.

Nothing can be more groundless and calumnious than that charge of mismanagement and embezzlement of the hospital's revenues, so frequently thrown out against its managers; a charge suggested, partly by Maitland's blunder already mentioned, but chiefly made use

* Where Maitland had collected his most erroneous account of George Heriot's effects, we know not. First he makes the stock with which Heriot set up trade, to be L. 143 : 1 : 0 Sterling, instead of L. 214 : 11 : 8. This proceeded from his not adverting to the change in weight in nominal pounds. He then makes the sum received out of Heriot's effects, by the governours of the hospital, to be L. 43,608 : 11 : 3, being almost the double of what they really got. This last blunder has been the cause of many unjust murmurings against the magistrates of Edinburgh, and even been the means of spiriting up law-suits against them.

† It is to be observed that money then bore L. 10 *per cent.* interest.

uſe of as a popular topick for ſcandalizing the magiſtrates of Edinburgh, when any political job makes it expedient to ſpread ſuch calumnies. It has been already obſerved, that the original funds left by Heriot for building and endowing an hoſpital, amounted to L. 23,625 : 10 : 3⅓, and that the building of the hoſpital coſt upwards of L. 30,000. Now the hoſpital is at preſent poſſeſſed of a real eſtate of about L. 1800 a year. The amount of its revenues is, indeed, fluctuating, as the rents are paid in grain. In A. D. 1776, the revenues of the hoſpital amounted to L. 1966. When Bailie Carmichael, the preſent treaſurer, was appointed to that office, the hoſpital had incurred arrears to the extent of L. 3000. Theſe are now all paid off, and the hoſpital is even poſſeſſed of ſome money lent out upon intereſt: Beſides, the apprentice fees were raiſed in the year 1770, from L. 16 : 13 : 4, to L. 20; and, in 1775, they were augmented to L. 30; ſo that there are now about L. 400 a year of the hoſpital's funds paid in prentice-fees, with lads who go out from the hoſpital to purſue their reſpective employments; beſides what is paid in ſums of L. 10 yearly, for four years, to thoſe lads who prefer a courſe of academical learning.

In this hoſpital, the boys are inſtructed in reading, writing, arithmetick, and the Latin tongue. Their appearance is decent, their manners are generally void of reproach. The ſtate, both of the boys and of the funds belonging to the hoſpital, is chiefly to be attributed to the truly paternal care and attention which are beſtowed upon its affairs by Mr Carmichael the treaſurer.

A ſet of ſtatutes, for the government of this hoſpital, was compiled by Walter Balcanqual already mentioned.

Of Watson's Hospital.

This charitable foundation is alſo inſtituted for the maintenance and education of the offspring of decayed merchants; for boys, the children or grand-children of decayed merchants in Edinburgh.

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The founder, George Watſon, was himſelf deſcended from progenitors who had long been merchants in that city; but his father died ſo poor, that young Watſon was indebted for his education to the benevolence of his aunt. He ſerved an apprenticeſhip to a merchant; but, when it was finiſhed, he did not himſelf ſet up in trade, probably owing to his want of ſtock. He went to Holland, where he improved himſelf as an accomptant; and, upon his return in the year 1676, he entered into the ſervice of Sir James Dick, a merchant, and afterwards Lord Provoſt of Edinburgh, as his clerk. Upon the erection of the Bank of Scotland, A. D. 1695, Watſon left Sir James Dick's ſervice, being appointed accomptant to the bank. He was afterwards appointed receiver of the duty upon ale, payable to the city, and treaſurer to the Merchants Maiden Hoſpital, and to the Society for Propagating Chriſtian Knowledge. In the courſe of theſe occupations, he made a fortune of L. 12,000. This, upon his death, which happened in April 1723, he bequeathed towards endowing an hoſpital for the purpoſes already mentioned.

Certain merchants, and one of the miniſters of Edinburgh, are governours of this hoſpital. They did not begin to raiſe a building for the reception of boys, till the year 1738, at which time, the ſum left by Watſon had, by being lent out upon intereſt, amounted to L. 20,000. The governours purchaſed ſeven acres and a half of the land belonging to Heriot's Hoſpital, for which they became bound to pay a yearly feu-duty of L. 19 : 12 : 9, and double that ſum every twenty-fifth year. In June 1741, twelve boys were admitted into it; the number was gradually increaſed. In three years it amounted to thirty. At preſent, double that number of boys are maintained and educated in the hoſpital. Theſe, as well as thoſe in Heriot's, have becoming attention paid to them. Upon their being put out apprentices, there is paid with them L. 20 of prentice-fee; or, if they chooſe to go to the College, they are allowed L. 10 yearly for five years; and, upon their attaining to twenty-five years of age, if the

the lads have behaved properly, and not contracted marriage, without conſent from the governours, they receive a bounty of L. 50.

The funds of this hoſpital are veſted in the Merchant Company of Edinburgh, for behalf of the hoſpital. Theſe, at preſent, amount to about L. 1700 *per annum*.

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There is ſtill another charitable benefaction, which though leſs oſtentatiouſly diſplayed, is, perhaps, on account of the piety of the motives, as well as wiſdom of the deſign, not leſs to be applauded. In the year 1741, Captain William Horn bequeathed to the magiſtrates of Edinburgh L. 3500, the intereſt whereof * to be given on Chriſtmas day, to the labouring poor of the pariſhes of St Giles, St Cuthberts and Libberton, who, by inclemency of the ſeaſon, cannot work. This money the donor appointed to be beſtowed in ſums not above L. 5 to the largeſt family, and not below L. 2 : 10 : 0 to the ſmalleſt.

* Maitland's hiſt. p. 484.

BOOK V.

CHAPTER I.

OF the Town of Leith—King's-work—South Leith Church—Chapel of Eaſe—Epiſcopal Chapel—Harbour—Trade—Tonnage of Shipping—Imports and Exports—Manufactures—Ropes and Sail-cloth—Green Glaſs—Soap and Candles—Sugar—Broad Cloth—Linen Manufacture—Silk Gauze—Leather—Coaches their Introduction and Manufacture—Sedan Chairs—Printing and Paper Making—Copper and Tin-plate Workers, and Blackſmiths—Manufacture of Bricks—Sal Ammoniack—Corporations of Leith—Police—North Leith.

LEITH is the Port of Edinburgh. It appears antiently to have gone by the name of Inverleith. The harbour of Leith was granted to the community of Edinburgh, by a charter from King Robert I. A. D. 1329; but the banks of the harbour, or river, belonged to Logan of Reſtalrig, from whom * the citizens were under a neceſſity to purchaſe the bank, or waſte piece of ground between the houſes and river, for the purpoſe of wharfs, for the conveniency of ſhipping; neither, it ſeems, could they keep ſhops for the ſale of bread, wine, and other mercantile commodities, nor erect granaries for the preſerving of corn, till theſe privileges were purchaſed from the ſuperior of the ground.

It is obvious, that the ſituation of Leith, upon the immediate banks of the Forth, is more commodious for trade, than that of Edinburgh, at the diſtance of two miles from the river. Of this, the inhabitants of the latter were ſo ſenſible, that they have fallen upon various expedients to reſtrain thoſe dwelling in Leith from carrying on trade. To exclude

* Maitland's hiſtory, p. 485.

clude them utterly from every branch of commerce, the citizens of Edinburgh purchaſed from Logan of Reſtalrig, the ſuperior, an excluſive privilege of carrying on every ſpecies of traffick in Leith; of keeping warehouſes there, and inns for the reception and entertainment of ſtrangers; and to compleat their oppreſſion, the town-council of * Edinburgh, A. D. 1483. prohibited, under ſevere penalties, the citizens of Edinburgh from taking into partnerſhip any inhabitant of Leith.

The people of this oppreſſed town obtained favour with Mary of Loraine, Queen Regent, who reſided frequently among them; and, after they had purchaſed from Logan, at the price of L. 3000 Scots, the ſuperiority of their town, it was erected into a borough of barony by the Queen Regent, who promiſed to erect it into a royal † borough; but, upon her death, Francis and Mary, in violation of the private rights of the people of Leith, ſold the ſuperiority of their town to the community of Edinburgh, to whom it has ſince been confirmed by grants from ſucceſſive ſovereigns.

Upon the breaking out of the diſturbances at the reformation, the Queen Regent perceived the importance of the town and harbour of Leith, as affording a ready inlet to French troops, and ſhe cauſed the whole town to be fortified. It was accordingly ſurrounded with a wall ſtrengthened with eight baſtions; but this wall went no farther eaſt than the ſtreet now called Bernard's-nook. Indeed, beyond that there were no houſes, and it would ‡ appear, the land beyond it, preſently occupied by the Timber-buſh, and the row of houſes between that and the harbour, has ſince been gained from the ſea, as a houſe on the preciſe ſituation of the preſent Weigh-houſe, is deſcribed even in A. D. 1623, to be bounded on the eaſt '*Littoris* '*marini arena.*'

It has been already obſerved, that, upon the commencement of the civil wars, in the ‖ reign of Charles I. a fortification was erected at Leith by the covenanters. Cromwell built a ſtrong garriſon

* Council reg. v. 1. p. 19. 20. † Maitland's hiſt. p. 486. 487. ‡ Charters under the great ſeal, B. 50. 26th April 1623; General Regiſter office Edinburgh.

‖ B. I. c. 3.

at the Citadel, of which although a ſtrong gate with portcullices be ſtill remaining, it was moſtly pulled down by * authority of government upon the reſtoration.

In the north-eaſt corner of the town of Leith, according to its former boundaries, on the ſpot where the Weigh-houſe preſently ſtands, there was, of old, a ſpacious building, which appears to have been a royal reſidence. It ſuffered in the general devaſtation, which the Engliſh, under the Earl of Hertford, ſpread over the banks of the Forth.

The remains of this building, which was called the King's-work, with a garden, and piece of waſte land that ſurrounded it, was erected into a free barony by James VI. and beſtowed upon Bernard Lindſay of Lochill, groom of the chamber, or *chamber chield*, (as he was called), to that prince. This Lindſay repaired or rebuilt the King's-work; and there is ſpecial mention of his having put its *antient tower* in full repair. He alſo built there a new tennis-court, which is mentioned with ſingular marks of approbation in the royal charter, 'as being built for the recreation † of his Majeſty, and 'of foreigners of rank reſorting to the kingdom, to whom it afford-'ed great ſatisfaction and delight, and as advancing the politeneſs, 'and contributing to the ornament of the country, to which, by its 'happy ſituation on the ſhore of Leith, where there was ſo great a 'concourſe of ſtrangers and foreigners, it was peculiarly adapted.' This fabrick, which was reared for the ſports and recreations of a court, was ſpeedily to be the ſcene of the ignoble labours of carmen and porters, engaged in the drudgery of weighing of hemp and of iron. But the ſtreet which bounds the antient tennis-court, converted into a weigh-houſe, ſtill wears the name of the founder, from whom it is called *Bernard's-nook*.

Leith,

* Records of privy council, No. 1. p. 9.

† The *reddendum* in this charter was uncommon. It was to keep one of the cellars in the *King's-work* in repair, for holding wines and other proviſions for his Majeſty's uſe; Charters under the great ſeal, *ut ſup.*

Leith, as has been already obſerved, was a part of the eſtate of Logan of Reſtalrig, a wealthy and turbulent baron, whoſe dark intrigues were finally the cauſe of forfeiting all his poſſeſſions. It lay alſo within the pariſh of Reſtalrig, whoſe church was ordered by the general aſſembly, A. D. 1650, to be pulled * down, as a *monument of idolatry*. It was a conſequence of this zealous mandate, that the inhabitants of Leith wanted a pariſh-church for fifty years. During that period, they reſorted, for worſhip, to a large and beautiful chapel, already built, and dedicated to St Mary, which is now diſtinguiſhed by the name of *South Leith Church*. This place of worſhip was, in † the year 1609, declared, by authority of parliament, to be the pariſh-church of the diſtrict. This is one of the largeſt, moſt handſome, and clean kept, of the preſbyterian churches we remember to have ſeen. Two clergymen officiate in it; the ſenior is appointed by the crown; his ſtipend is about L. 150 a year; the junior is choſen by the kirk-ſeſſion and incorporations.

As the pariſh-church was not ſufficient to accommodate the increaſing number of inhabitants, it was propoſed by ſome of the pariſhioners A. D. 1772, to erect and endow, at their own expence, a chapel of eaſe, which was to be on the eſtabliſhment with the church of Scotland. Ground was purchaſed, and a chapel built accordingly, at the expence of near L. 1700. Its dimenſions are 72 feet by 52, within walls; and it can accommodate upwards of 1500 people. To defray the expence, no more than a ſum between L. 200 and L. 300 was raiſed by ſubſcription among the inhabitants; therefore, in order to diſcharging the debt, no miniſter was appointed to the chapel for two years. As a congregation was formed, and publick worſhip celebrated, during that period, the produce of the ſeat-rents reduced the debt, in November 1775, when the preſent clergyman was ſettled, to L. 1100. Mr Burnſide was elected miniſter at the time already mentioned, by the unanimous ſuffrage of the congregation. His ſalary, which is paid out of the ſeat-rents, amounts

* B. of univerſ. Kirk, p. 3. † Unprinted acts, James VI. parl. 20. No. 5.

amounts to L. 110; but, upon the debts affecting the chapel being extinguiſhed, it is to be made equal to thoſe of the miniſters of Edinburgh. The debts are now reduced to L. 800. The collections at the door of the chapel are, at preſent, applied partly to extinguiſhing its debts, partly towards the ſupport of the poor belonging to the congregation, or pariſh. The miniſter is choſen from among preachers licenſed by the church of Scotland, with which this congregation, in all reſpects, holds communion.

Beſides theſe, there is an epiſcopal congregation at Leith. After the late rebellion, when the perſecution was ſet on foot againſt thoſe of the epiſcopal communion in Scotland who did not take all the oaths and formulas preſcribed by law, the epiſcopal meeting-houſe at Leith was ſhut up by the ſheriff of the county. Perſons of this perſuaſion being thus deprived of the form of worſhip their principles approved, brought from the neighbouring country Mr John Paul, an Engliſh clergyman, who opened this chapel on 23d June 1749. It is called St James's Chapel. Till of late, the congregation only rented it; but, within theſe few years, they purchaſed it for L. 200. The clergyman has about L. 60 a year of ſalary, an organiſt, of 10 guineas. Theſe are paid out of the ſeat-rents, collections, and a voluntary contribution among the hearers. It is perhaps needleſs to add, that there are one or more meeting-houſes for ſectaries in this place; for, in Scotland, there are few towns, whether of importance or inſignificant, whether populous or otherwiſe, where there are not congregations of ſectaries.

But it is to the harbour that Leith, and we may add Edinburgh alſo, chiefly owe their importance. This harbour is formed by the conflux of the river Leith with the ſea. The depth of the water at the mouth of the harbour is, at neap-tides, about nine, but in high ſpring-tides, about ſixteen feet. It was obſerved, in an early part of our work, that the town-council of Edinburgh, in the beginning of the preſent century, improved the harbour at an enormous expence, by extending a ſtone-pier a conſiderable way into the

ſea.

ſea. In A. D. 1753 *, an act was paſſed, for enlarging and deepening the harbour of Leith; but, as no adequate means were provided by the ſtatute for defraying the expence, nothing was done in conſequence. Yet a plan was ſoon afterwards formed, for enlarging the harbour upon ſtill a greater ſcale; for making a canal from it through Bernard's nook to the Glaſs-houſe, and from thence weſtwards, a baſin. To carry theſe expenſive projects into execution, a bill was framed, by which an additional duty, from a penny to ſix-pence a ton, was to be laid upon the tonnage of all ſhipping in the harbour. But the ſcheme was dropped, in conſequence of a vigorous oppoſition. In the year 1777, the town-council of Edinburgh conſiderably improved the harbour, by erecting an additional ſtone-quay towards its weſt ſide. Upwards of 100 ſhips can lie conveniently in this port. It is accommodated with wet and dry docks, and other conveniences for ſhip-building, which is there carried on to ſome extent, as veſſels come to Leith to be repaired from the different quarters of the eaſt coaſt of Scotland.

As we were deſirous to bring the trade of Edinburgh under one view, we ſhall treat, in this chapter, both of the ſhipping of Leith, and of the manufactures of Leith and Edinburgh.

We had no other means of giving an adequate idea of the trade and navigation of Leith, than by laying before the reader the tonnage of ſhipping at that port, a liſt of the articles of commerce, and the average quantity of ſtaple commodities imported or exported. To have annexed the quantity to each article of export and import, would probably have afforded the reader greater ſatisfaction. He would have been ſatisfied, however, *at the expence of deception.* The articles of export and import between Leith and foreign parts are ſo very fluctuating, one year being ſo conſiderable, and perhaps the next ſo trifling, that, to have ſpecified the quantities in any one or two years, would only have led to falſe concluſions. And to have exhibited a table of exports and imports for ſuch a number of years as

* Geo. II. an. 27. c. 8.

as to have enabled the reader to make a juſt inference, would have ſwelled to a bulk unſuitable to the nature of this work. We have, therefore, thought it more eligible to preſent the reader with a liſt of the articles of export and import, adding the average quantities of ſtaple commodities. From this liſt, from an account of the tonnage of ſhipping, and from a note of the amount of duties on certain articles collected at the port of Leith, it is ſubmitted to the reader to judge of the extent of its trade and navigation.

An ACCOUNT of the Number of SHIPS and VESSELS that were of, or belonging to the Port of LEITH, their Tonnage, and Number of Men that traded to or from foreign parts; alſo, the like Account of Coaſting and Fiſhing Veſſels for the year, ended 5th January 1778, reckoning each Veſſel but once a year.

Foreign Trade.			Coaſting and Fiſhing Trades.		
Number of Ships.	Number of Tons.	Number of Men.	Number of Ships.	Number of Tons.	Number of Men.
* 52.	6800.	428.	44.	3346.	281.

ACCOUNT of IMPORTS and EXPORTS between Leith and Foreign parts.

ACCOUNT of IMPORTS.

From DENMARK.

Oats, Peaſe, Barley } Conſiderable quantities when the port is open.

Butter, Cheeſe, Old iron, Scull iron } Small quantities.

From

* It is to be obſerved, that, beſides the veſſels belonging to Leith, there are employed in the trade ſhips belonging to other ports in the Frith, and to the north of England, to the amount of about one fourth of the tonnage of the Leith veſſels. And that ſhips in the London trade make, at an average, ſeven voyages up, and as many down, every two years.

From NORWAY.

Deals, about 15 thouſand annually.
Battens
Spars
Handſpikes
Oak ſpokes, for cart-wheels
Harrow bills
Haſel cutts
Fir timber
Middle balks
Small balks
Pailing boards
Wood hoops, for coopers
Oak knees for ſhips
Tar, laſt year 3000 barrels
Oak timber
Bar iron
Oars
Tree nails
Stock fiſh
Barley
Sieve rims

From SWEDEN.

Bar iron, about 400 tons annually
Deals, about 10,000 annually
Battens
Tar, laſt year 600 barrels
Barrel ſtaves
Handſpikes
Spars
Pailing boards
Fir timber
Oats
Barley.

From RUSSIA.

Bar iron, about 600 tons annually
Deals, laſt year 35 thouſand
Battens, ditto, 12 ditto
Fir timber
Flax, about 250 tons annually
Hemp
Cordelia
Tallow, laſt year 200 tons
Hogs briſtles
Matts
Wheat
Oats
Barley
Ships maſts
Spars
Sieve rims
Feather beds
Oak timber
Linens of different kinds, a conſiderable quantity
Flax ſeed, about 1000 barrels annually

Cordage
Elks hair
Old iron
Furs
Knees of oak for ships
Hand[illegible]
Neats tongues
Iſinglaſs
Indigo
Roſin
Tar, laſt year 1100 barrels
Tallow candles
Hard ſoap
Pearl aſhes
Sail cloth
Pailing boards

PRUSSIA.

Fir timber, laſt year 1200 loads
Deals
Battens
Pipe and barrel ſtaves
Wheat
Oats
Barley
Peaſe
Pearl aſhes
Flax
Hemp
Bar iron
Scull iron
Old iron
Ships maſts
Linen yarn
Weed aſhes
Pot aſhes
Ox and cow hides
Calve ſkins

From POLAND.

Weed aſhes
Pearl aſhes and pot aſhes
Oak plank, laſt year 115 loads
Oak timber
Clap boards
Barrel and Kilderkin ſtaves
Pipe and hogſhead ſtaves
Saltpetre
Honey
Spruce beer
Hogs briſtles
Wheat
Deals
Feathers for beds
Tree nails
Linens
Linen yarn
Linen rags
Ox and cow hides
Calve ſkins
Beech and elm timber
Oats
Barley
Peaſe

From

From GERMANY.

Oak timber, laſt year 116 loads
Oak plank, ditto, 37 loads
Oak bark
Linen rags
Wheat
Oats
Barley
Beans and peaſe
Apples
Linen yarn, laſt year 116 tons wt.
Oak knees for ſhips
Earthen ware
Pearl aſhes
Smalts
Rheniſh wine
Vinegar
Pipe, hogſhead, and barrel ſtaves
Firkin ſtaves
Cheſnuts
Madder
Tanned leather, laſt year 11,000 pounds
Seal ſkins
Mineral waters
Beech timber
Calf pelts
Horſe hides
Matts
Flax ſeed
Bar iron
Linens
Wood hoops
Wooden clocks
Tree nails
Carraway ſeeds
Juniper berries
Drugs

From HOLLAND.

Flax, about 350 tons annually
Flax ſeed, about 500 hogſheads annually
Madder
Clover ſeed
Matts
Wood hoops for coopers
Linen yarn, laſt year 11,330 pounds weight
Old iron
Butter and cheeſe
Cinnamon
Unbound books
Garden ſeeds
Tanned leather
Wheat
Oats
Barley
Peaſe and beans
Pearl aſhes
Smalts
Wainſcoats
Rheniſh wine

Oak bark
Iron nails
Cork
Bridges thread
Incle
Wood ashes
Galley tiles
Writing paper
Wooden clocks
Tarras
Oakum
Saccharum Saturni
White lead
Mineral waters
Flower roots
Burrs for millſtones
Gooſe quills
Succus liquoritiae
Onions
Hard ſoap
Linen rags
Oak timber
Goat ſkins
Red lead
Apples
Vinegar

From FRANCE.

Wine
Walnuts
Cheſnuts
Prunes
Cork
Brandy
Pickles
Apples
Olives
Succads
Capers
Anchovies
Dried plumbs
Almonds
Salt
Roſin
Vinegar
Verdigreaſe

From SPAIN.

Wine and oil
Grapes
Figs
Almonds
Raiſins
Lemons and oranges
Salt
Cork
Brandy
Jeſuits bark
Cow hides
Reeds
Lemon juice
Drugs
Roſin and turpentine

From

From PORTUGAL.

Wine and oil
Raiſins
Cork
Salt
Lemons and oranges
Figs
Reeds
Onions
Sumack
Drugs
Succads
Roſin

From GUERNSEY.

French, Spaniſh, and Portugal wines
Roſin
Cork
Apples and pears
Brandy
Chefnuts and walnuts
Pickles
Capers
Olives
Anchovies
Cows
Cyder
Prunes

From IRELAND.

Butter

From GIBRALTAR.

Spaniſh wine
Portugal wine

From ITALY.

Drugs
Levant wine
Currants
Sallad oil
Rough and poliſhed marble
Gum arabic
Cheeſe
Anchovies
Brimſtone

From SICILY.

Salt

From NORTH AMERICA,

(Before the differences with that country)
Rice
Indigo

Ta

Tar, pitch, and turpentine
Pine plank
Lignum vitae
Barrel and hogſhead ſtaves
Ox and cow hides
Deer ſkins
Otter and raccoon ſkins
Logwood
Mahogany
Fir plank
Sago powder
Muſcovado ſugar
Rum

From WEST-INDIES.

Rum
Muſcovado ſugar
Indigo
Cotton, wool
Cow-hides
Mahogany
Logwood and fuſtick
Coffee berries
Succads
Pimento

ACCOUNT of EXPORTS from Leith.

To DENMARK.

Coals
Rod iron
Fire grates
Thread ſtockings

To NORWAY.

Lead
Earthen ware
Strong beer
Glaſs bottles
Tow
Printed linen
Printed paper
Tanned leather
Hard ware
Woolen drapery
Bricks
Wheat, flour
Small coals
Malt
Haberdaſhery

To SWEDEN.

Hardware
Woolen drapery
Cotton ſtuffs
Velverets
Worſted hoſe
Silk ſtuffs
Porter
Stone ware
Lead
Tanned leather

To

To RUSSIA.

Coaches and chariots, with braces and harneſs
Silk ſtuffs
Houſehold furniture
Sadlery ware
Coals
Spaniſh ſalt
Strong beer
Glaſs bottles
Checquered linen furniture
Diaper
Velvets
Worſted ſtockings
Printed linen handkerchiefs
Fine linen
Clocks
Haberdaſhery
Hardware
Oil of vitriol
Sal amoniack
Wine

To POLAND.

Coaches and chariots, with braces and harneſs
Silk ſtuffs
Alum
Worſted ſtockings
Rum
Herrings
Mahogany furniture
Stone ware
Hatts
Small coals

To GERMANY.

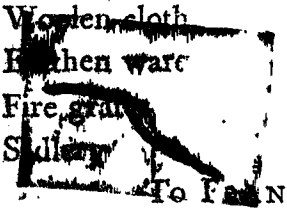
Houſehold furniture
Glaſs bottles
Porter and ſtrong beer
Oil of vitriol
Earthen ware
Millinery ware
Rum
Coals
Sail-cloth
Lead
Carpetting
Worſted ſtockings

To HOLLAND.

Lead, in 1776, 1650 tons
in 1777, 1500 tons
Salmon
Porter and ſtrong beer
Carpetting
Coals
Oil of vitriol
Spaniſh and French wine, a ſmall quantity
Steel
Rod iron

Velveret

Velveret
Rum
Silk ſtuffs
Woollen cloth
Kitchen ware
Fire grates
Saddlery



To FRANCE.

Coaches and chaiſes, with braces and harneſs. A few

To SPAIN.

Linens and damaſks
Strong beer and porter
Iron hoops
Small coals
Sail-cloth
Tarred cordage
Wheat
Wheat-flour
Stone ware
Small beer
Deals and cuts of deals
Barley
Glaſs bottles
Silk gauze

To PORTUGAL.

Glaſs bottles
Strong beer
Packing mats
Sail-cloth
Barley and bigg
Wheat
Wheat-flour
Iron hoops
Pipe ſtaves
Dried cod-fiſh
Small coals

To GIBRALTAR.

Coals and bricks
Linens
Glaſs bottles
Houſehold furniture
Beer and porter
Iron hoops

To GUERNSEY.

Coals
Glaſs bottles

To IRELAND.

Porter and ſtrong beer
Barrel ſtaves
Glaſs bottles
Biſcuit

To NORTH AMERICA,

(Before the differences with that country)

Linens, great quantities
Houſehold furniture

Wearing

Wearing apparel
Writing paper
Printing and brown paper
Books
Haberdaſhery
Stone ware
Porter and ſtrong beer
Saddlery ware
Worſted hoſe
Thread ditto
Sewing thread
Wrought iron
Hatts
Coals
Spades, ſcythes, and corn hooks
Waggon wheels
Window glaſs
Cordage and ſail-cloth
Bricks
Shoes
Carpetting
Lawns and gauzes
Printed linen handkerchiefs
Mens ſhirts
Clocks
French, Spaniſh, and Portugal wines
Glaſs bottles

To the WEST INDIES.

Linens
Herrings
Houſehold furniture
Wood hoops for coopers
Coals and bricks
French, Spaniſh, and Portugal wines
Negroes clothing
Hats
Shoes
Saddlery ware
Thread hoſe
Sewing thread
Sugar boilers
Nails
Strong beer and porter
Haberdaſhery
Smiths and joiners tools
Ploughs and furniture
Yetlin pots
Bliſtered ſteel
Iron crows
Mule harneſs
Fiſh oil
Medicines
Chaiſes with harneſs
Sail-cloth and cordage
Lime and lime-ſtones
Linen handkerchiefs
Wearing apparel
Wheat, flour, and bread
Woolen drapery
Ling fiſh
Hulled barley
Oats, peaſe, and beans

Horſes	Stationary ware
Writing paper	Ships anchors
Books	Caſt iron-work
Blanketting	Window ſaſhes
Iron hoops	Cutlery ware

In this account, not only are there no articles of the coaſting-trade included; but, in fact, many of foreign export and import are not comprehended in it. For inſtance, certain articles of the manufacture of Edinburgh are ſent from the port of Leith to London, and thence exported; theſe fall to be comprehended in the Cuſtom-houſe books, not of Leith, but of London. And, *vice verſa*, many foreign articles uſed in Edinburgh, are not imported directly to Leith, but to London, whence they are brought by the London fleet to Leith, and conſequently are entered in the Cuſtom-houſe books of the former of theſe ports.

ACCOUNT of the Duty paid for Wine imported at Leith, for five years preceding 5th January 1778.

From 5th January	1773,	to 5th January	1774	L.	12,871	15	3
From ditto	1774,	to ditto	1775		25,277	12	2
From ditto	1775,	to ditto	1776		21,108	3	1
From ditto	1776,	to ditto	1777		16,646	16	9
From ditto	1777,	to ditto	1778		22,706	8	5

In the trade of Leith, the exportation of oyſters deſerves to be conſidered. This article began to be exported for the London market in the year 1773. From their beds in the Forth, they are taken to the Medway, and other rivers not diſtant from London, where they are depoſited to fatten for the conſumption of the great metropolis. But this trade is carried on with as much avidity for gain, as a profuſe heir exerts in purſuit of pleaſure; and both with a ſimilar tendency,

dency, the deſtruction of the capital, which ſhould afford them a continuance of their reſpective ſources of pleaſure. The quantity of oyſters exported, has each year grown leſs, and the price has advanced proportionably. The firſt year, the oyſters were ſold at 4 s. *per* barrel. The price has riſen gradually, and now amounts to 6 s. In A. D. 1778, 8400 barrels were exported, which, at 6 s. *per* barrel, amounts to L. 2520. Thus it appears, if the oyſter-banks on the Forth are not dragged more ſparingly, this commodity will be ſpeedily exhauſted.

It is a neceſſary conſequence of the ſhipping, that there ſhould be a conſiderable demand for ropes, ſail-cloth, and cordage. There are three different companies who carry on theſe branches of manufacture, beſides ſome private manufacturers who deal very inconſiderably. The firſt of theſe companies was eſtabliſhed in the beginning of this century; and, about twelve years ago, made, perhaps, larger dividends among the partners, than any trading or manufacturing company in the nation. The three companies at preſent employ 150 weavers, flax-dreſſers, and ſpinners of rope-yarn, 60 rope makers, and 450 ſpinners of flax.

A manufactory of green glaſs was eſtabliſhed at the citadel of Leith, in the middle of the laſt century. Choppin bottles were ſold at 4 s 6 d. *per* dozen, and other bottles in proportion. Soon afterwards, this article was begun to be manufactured in North Leith, where choppin bottles were ſold A. D. 1707, at 2 s. 6 d. *per* dozen, and ſo proportionably †. The preſent *bottle-houſe company* was eſtabliſhed A. D. 1746. They began work in the bottle-houſe at North Leith; but, it being burned down during the firſt year of the partnerſhip, the company, in the year 1747, built a new brick-houſe on the ſands of South Leith, and, the demand for bottles increaſing, they built an additional one A. D. 1764. This company is in a flouriſhing ſituation. They employ men and boys to the number of 80, beſides managers, clerks, &c. The annual expence of carrying on

* Book I. c. 4. † Edinburgh Courant, No. 237.

both houſes, including the duty payable to government, is between L. 8000 and L. 9000 a year. The duty on common bottles, by 19th Geo. II. c. 12. is . . . L. 0 2 4 *per cwt.*
[illegible] 17. by George III. . . 0 1 2

[illegible] 8 s. ½ d. *per* dozen L. 0 3 6 *per cwt.*

ACCOUNT of Glaſs manufactured at Leith for two years.

		Quantity of		Duty on		
From 5th July 1776, to ditto 1777	*cwt.*	12,138¾	L.	1416	3	9
From 1777, to 1778		15,883¼	L.	2779	11	4¼

The branches of manufactures in Leith, next in importance to thoſe already mentioned, are thoſe of ſoap and candles. Theſe were inſtituted by William St Clair of Roſlin, a gentleman, in whom the happy faculties were united, of a talent for buſineſs, and inclination for pleaſure. The manufacture of ſoft ſoap was erected by Mr St Clair, and ſome merchants, A. D. 1750; that of tallow candles by the ſame, in the year 1770; and that of hard ſoap by David Neilſon, alſo in the year 1770.

ACCOUNT of Soap and Candles manufactured at Edinburgh and Leith for two years.

	Quantity.		Duty.		
Soap from July 5. 1776, to ditto 1777	510,439	*lib.* L.	3190	4	10½
from ditto 1777, to ditto 1778	492,904		3080	13	0
Candles from July 5. 1776, to ditto 1777	337,755½		1407	6	3½
Ditto from 1777, to 1778	318,111½		1325	9	3

Of theſe articles, three-fourths of the candles are made at Edinburgh, and five-ſixths of the ſoap are made at Leith.

There

There is hardly any branch of manufacture, which, in ſpeculation, affords a more undoubted ſucceſs to the manufacturer, and more general benefit to the country, than the baking or refining of ſugars; and, we will venture to ſay, that it has been owing alone to the want of capital and conduct in its managers, that it has not hitherto been attended with remarkable ſucceſs. Were this manufacture properly conducted, a trade might be eſtabliſhed between the Weſt Indies, and the eaſt coaſt of Scotland. Sugars might be afforded to the conſumer at an eaſier rate; the planter and manufacturer might carry on an advantageous ſpecies of traffick; and a great ſum of money might be ſaved to the country, which is annually remitted to London for baked ſugars.

There are four ſugar-houſes on the eaſt coaſt of Scotland, at Edinburgh, Leith, Dundee, and Aberdeen. Theſe, at preſent, are moſtly ſupplied from Glaſgow. Now, ſuppoſing every houſe to uſe 500 hogſheads annually, theſe, amounting to 2000 hogſheads, with the uſual proportions of rum, cotton, coffee, mahogany, &c. would make cargoes for ten or twelve ſail of good ſhips; and theſe might return with cargoes of linen, negroes clothing, and the various other articles for which there is a demand in the Weſt Indies. Leith is the moſt centrical port for carrying on ſuch trade. Veſſels can be fitted out there eaſier than from the Clyde, and greatly lower than from London. Thus a ſaving would be made on the article of freight; other charges would be likewiſe more moderate than either in the Clyde or at London; and the ſugars, when landed, would be worth from four to five *per cent.* more to the ſugar-houſes, than if landed either at Greenock or London. This, added to the ſavings on freight and charges, would amount to a valuable conſideration to the Weſt-India planter, and ſhould, no doubt, encourage him to make conſignments to the port of Leith.

A houſe for baking of ſugars was ſet up in Edinburgh, A. D. 1751, and the manufacture is ſtill carried on by the company who inſtituted

inſtituted it. That of Leith was begun in the year 1757, by a company, conſiſting moſtly of bankers in Edinburgh; but in five years their capital was totally loſt. For ſome time the ſugar-houſe remained unoccupied, till ſome gentlemen from England took a leaſe of the building, and revived the manufacture; but, as theſe wanted capital altogether, and were conſequently obliged to fall upon ruinous ſchemes for ſupporting a fictitious credit, they were ſpeedily involved in deſtruction. To them ſucceeded the Meſſrs Parkers, who kept up the manufacture above five years. The houſe was then purchaſed by a ſet of merchants in Leith, who, as they began with a ſufficient capital, as they have employed in the work the beſt refiners of ſugar that could be procured in London, and who, as they pay due attention to the buſineſs, promiſe to conduct it with every proſpect of ſucceſs.

Beſides the branches of manufacture already noticed, cards for combing wool are made in Leith, to a conſiderable extent; and the ſhip-carpenters and coopers want not a briſk employment. A cudbear manufacture was lately carried on there by the Meſſrs Gordons of Leith, in company with Meſſrs William Alexander and ſons of Edinburgh; but, in conſequence of diſagreement among the partners, and their affairs falling into diſorder, it is now dropped.

About 14,000 ſtones of wool are annually exported from Leith to England. There were, beſides, 22,000 ſtone of wool ſold in the Weigh-houſe of Edinburgh A. D. 1777, of which, but a ſmall part, indeed, is manufactured in that city. Edinburgh was formerly one of the greateſt wool markets in Britain. A conſiderable quantity of woolen goods has always been manufactured there, eſpecially before the union. The occupations of a dyer and wool-comber, branches of the woolen manufacture, formerly flouriſhed in Edinburgh. Now they are almoſt entirely ſunk, the wool that is there made into ſtuffs and ſhaloons being moſtly commiſſioned from England ready combed. But the woollen manufacture now promiſes to revive. Bailie M'Dowal employs about a hundred hands in making broad cloth,

cloth, the moſt of which is ſuperfine. It is eſteemed equal in quality to any brought from England; and the demand for it is daily increaſing. Wool and oil can be imported from Spain into Leith at rather leſs expence than into London. There is, beſides, in the broad cloth manufacture at Edinburgh, when compared with thoſe of the principal manufacturing towns in England, a ſaving of a double land-carriage of a hundred miles; firſt, of the Spaniſh wool, &c. from London to the manufacturing towns, to be made into ſtuff; and, ſecondly, of the cloths from their reſpective places of manufacture to the London market. On theſe accounts, it is probable, that the woollen manufacture may become the ſtaple-trade of the Lothians, inſtead of vaſt ſums being annually remitted for that article to England. But, however, like all infant productions, whether in the animal, vegetable, or commercial worlds, for a while it will ſtand in need of encouragement. When we behold the royal patterns of virtue dreſſed on a birth-day, entirely in Engliſh manufactures, we conſider them as reproaching, with ſilent dignity, thoſe who do not encourage ſuch of their country's manufactures, as can ſatisfy the ordinary purpoſes of life.

In the woollen branch, too, blankets, carpets, and ſtockings wrought on frames, are made at Edinburgh; and premiums are given by the Board of Truſtees to thoſe who produce the beſt ſpecimens of their work, in the different articles of the woollen manufacture.

But, *the linen manufacture* forms the great ſtaple article of the trade of Scotland. It affords an experimental proof of the important and ſalutary conſequences reſulting to trade and manufactures, from attention and encouragement being beſtowed upon them by the legiſlature, and by perſons of rank and opulence.

Till the year 1727, the linen-manufactures of Scotland were altogether inconſiderable. The petty dealers in this article, inſtead of endeavouring to procure an extenſive ſale, by the quality of their goods, graſped at an immediate profit, by thoſe frauds which were

not

not obvious to detection, but which, in the end, were to ruin their reputation and their trade. By a ſtatute of George I. frauds in the culture and preparation * of flax, and in manufacturing of linens, are anxiouſly guarded againſt. By the ſame ſtatute, the King was authoriſed to appoint any number of perſons reſiding in Scotland, not exceeding 21, truſtees for directing and improving the linen and hempen manufactures. Theſe truſtees beſtowed, and ſtill continue to beſtow, premiums for the beſt ſpecimens of work, in the different branches of the linen, as well as of ſome other manufactures. A parliamentary bounty, of three-halfpence *per* yard, was ſoon afterwards granted upon the exportation of coarſe Britiſh and Iriſh linens. The Britiſh Linen Company, whoſe inſtitution, A. D. 1746, and the beneficial effects reſulting from it, have already been mentioned, introduced and improved the manufacture and bleaching of various fabricks of linen, formerly unknown in Scotland. Yet theſe are now equal, or ſuperior in quality, to thoſe of the ſame ſpecies which come from abroad; and the prices have, at the ſame time, been reduced from L. 10 to L. 15 *per cent.* For the further benefit of thoſe concerned in the linen manufacture, the truſtees, A. D. 1766, opened a hall at Edinburgh for the reception and ſale of linen goods. The keeper of the hall is appointed by the truſtees. He is neither allowed to buy nor ſell goods. His buſineſs is to receive linens and yarns from the manufacturers and dealers through Scotland, to each of whom he gives receipts for the goods they lodge; and theſe receipts may be uſed as a fund of credit. The goods may be ſold by the holders of theſe receipts; but they frequently employ Mr George Goldie merchant, Edinburgh, as their factor, who makes annually very conſiderable ſales of linen, as the aſſortment, quality, and prices of the goods are acceptable to the merchant.

In this manner the linen manufactures of Scotland have increaſed as follows:

SPECI-

* Geo. I. an. 13. c. 26. George II. an. 24. c. 44.

SPECIMEN of the Quantity of LINEN Stamped *for ſale* in Scotland, from 1ſt November 1727 to 1ſt November 1778.

	Yards.	Value.
1727 to 1728,	2,183,978	L. 103,312
1746 7,	6,661,788	262,866
1756 7,	9,764,408	401,511
1765 6,	13,242,557	637,346
1775 6,	13,571,948	638,873
1776 7,	14,793,888	710,633
1777 8,	13,264,401	592,023

But, notwithſtanding the vaſt increaſe of the manufacture of linens in a period of fifty years, this trade is by no means in that flouriſhing condition which, at firſt ſight, one would be apt to conceive. The prodigious load of publick taxes makes the neceſſary expences of life higher in Britain than in any European nation. This, joined to ſome other circumſtances, enables foreign nations to afford linens at a cheaper rate, though not of ſuperior quality, than can be done in Britain. To obviate the conſequences ariſing from theſe taxes, certain duties have been impoſed on foreign linens, when *imported* into Britain; (for there is no prohibition, as in the caſe of woollen goods of all kinds.) But, when theſe *foreign linens are re-exported, theſe duties are drawn back. To counterbalance this draw-back, a bounty is given on the exportation of Britiſh and Iriſh linens.* It happens, however, (one would think whimſically), that this bounty is confined to brown and white linens only; and *printed linens, of home manufacture,* are poſitively *excluded* from it; ſo that printing the ſmalleſt ornament round a handkerchief of Britiſh or Iriſh linen diſqualifies *that* linen from receiving the bounty; while, at the ſame time, *foreign linens*, imported plain, and *printed* in Britain, *are entitled, upon exportation, to the draw-back.* Thus, by an apparent

inconſiſtence of the legiſlature, its intentions to encourage the linen trade, *in ſo far as they reſpect printed linens*, are defeated.

In April 1754, the linen manufacture received a ſevere and unexpected blow. The *whole bounties* on *Britiſh and Iriſh* linens exported, (excepting ſail-cloth), were allowed *to expire*; and, at the ſame time, the draw-backs on *foreign* linens exported were allowed *to continue*. The fatal effects of this inattention were immediately felt. The quantity of Britiſh and Iriſh linens exported fell, in one year,

From 2,226,769 yards
to 92,407.

Infinite diſtreſs was brought upon the country; and the weavers and ſpinners were reduced to the greateſt miſery. To remedy theſe evils, this bounty was renewed in 1756, and again in 1771; but, as it expires with the preſent ſeſſion of parliament, a memorial has been preſented by the convention of royal boroughs to the Lords of the Treaſury, ſetting forth the ſtate of the linen trade, and praying their Lordſhips, that this bounty may be renewed, with the other expiring laws of the preſent ſeſſion of parliament. There can be no doubt of the ſucceſs of an application, not barely ſo reaſonable, but ſo abſolutely neceſſary; for, as the linen trade is now nearly double what it was it A. D. 1754, double ruin muſt flow from the abſolute ſtagnation of the trade, which would reſult from an expiry of the bounty.

The diſtreſs into which the American diſturbances have involved the Britiſh empire has been ſeverely felt by the linen manufacturers. Till the late diſſentions, linens, in great quantities, were annually exported from Scotland to North America. Upon the demand from that extenſive quarter of the globe being cut off, the firſt conſequence was the market being overſtocked; the ſecond, a falling off in the quantity manufactured. Accordingly, the linens manufactured in A. D. 1778, fell ſhort of thoſe in 1777, near a tenth part in quantity, and above a ſixth part in value.

The

The number of looms employed in Edinburgh in the linen branch is extremely fluctuating; the largeſt number that has been known is about 1500; at preſent it is ſuppoſed there are upwards of 800. That city has long been famous for making the fineſt damaſk table-linen, and linen in the Dutch manner equal to any that comes from Holland. Little of theſe articles is now imported; whereas, formerly, the nobility and gentry of Great Britain were entirely ſupplied with them from abroad.

In the weaving buſineſs, alſo, about 90 looms are employed in making ſilk gauze, flowered and plain; and cotton and linen ſtuffs are printed to a ſmall extent.

The manufacture of leather in Edinburgh is far from being inconſiderable. There are a number of tan-works about the ſkirts of the city. The ſkinners have great employment. Shoes are not only made for the conſumption of the place, but quantities have, at different times, been exported to the Eaſt and Weſt Indies; and many of the regiments levied ſince the American war have been furniſhed with ſhoes from Edinburgh. There are few glovers; and they are ſo unſkilful in their trade, that moſt of the gloves uſed in Edinburgh are brought from London, York, or Perth. But there is another ſpecies of the leather manufacture carried on at Edinburgh, and brought to a degree of perfection, of which it is difficult to conceive that commodity to be capable. This is the making of leather ſnuff-boxes, pen-caſes, drinking-mugs, and a great variety of other articles. The leather is brought to ſuch a conſiſtence, as to reſemble tortoiſe-ſhell exceedingly. Like it, the leather is poliſhed, variegated, and tranſparent. The hinge of the box is alſo of leather; and it is executed with a neatneſs for which Scots tradeſmen, in general, are nowiſe remarkable. This manufacture is carried on by Thomas Clark and Son. It was invented by Clark ſenior, who got the invention protected during fourteen years, by patent from his late Majeſty, granted A. D. 1756. The patent being expired, this branch is now carried on at Birmingham alſo, and other parts of

England, but not to ſuch perfection as by Clark and Son. The articles of their manufacture are pretty well known not only over Britain, but in moſt parts of Europe.

DUTY on LEATHER Manufactured in Edinburgh, for two years.

In A. D. 1777,	L.	962	12	7¾
1778,		1100	5	0

An article of modern luxury, which, by ſlow ſteps, has ſpread to great extent, furniſhes a conſiderable branch of manufacture in Edinburgh, we mean, the uſe of coaches.

Coaches were * firſt introduced into Britain A. D. 1580. A coach is mentioned as coming to Scotland in the ſuite of the Engliſh ambaſſador † A. D. 1598. But the firſt introduction of theſe carriages for the uſe of the people was in the year 1610. At that time ‡, Henry Anderſon, an inhabitant of *Trail ſound*, or Stralſund, in Pomerania, offered to bring from that country coaches and waggons, *with horſes to draw, and ſervants to attend them*, provided an excluſive privilege of keeping theſe carriages was ſecured to him. To this effect, a royal patent was granted him, conferring an excluſive privilege, for fifteen years, of keeping coaches to run between Edinburgh and Leith; for it was only for theſe towns that this vehicle ſeems then to have been intended; and it was not allowable to take more than two-pence Sterling for the fare of each paſſenger.

Coaches and ſix were firſt introduced into England, A. D. 1619, by the upſtart Villiers Duke of Buckingham, the worthleſs minion of two ‖ ſucceſſive Sovereigns. The Earl of Northumberland was ſo much offended with this inſtance of Buckingham's vanity, that he ordered eight horſes to be put to his own coach. By the end of the laſt

* Northumberland houſehold-book, p. 448. † Scott's hiſtory of Scotland, p. 551.
‡ Privy ſeal record, book 79. p. 225.; MSS. General Regiſter office Edinburgh.
‖ Northumberland houſehold-book, p. 448.; Wilſon's life of James, p. 130.

laſt century, coaches and chariots were pretty much uſed by the Scots nobility; but they were chiefly deſigned for the town, not for the road. It has been already obſerved, that, upon the approach of the King's Commiſſioner * to Edinburgh, A. D. 1700, he was met, eight miles from the city, by a train of near forty coaches, and theſe were moſtly drawn by ſix horſes.

In the year 1702, one Robert Miller got a privilege of keeping four chaiſes, to run between Edinburgh and Leith, and excluding all others from keeping chaiſes to ply between theſe towns, for a term of nine years. In A. D. 1722, a company obtained from the magiſtrates an excluſive privilege, for twenty-one years †, of keeping ſtage-coaches, to run between theſe towns. Every coach was to contain ſix paſſengers; and the fare for each paſſenger was 3 d. in ſummer, and 4 d. in winter. Notwithſtanding the monopoly, the buſineſs does not appear to have been lucrative; for, in A. D. 1727, the company preſented a memorial to the magiſtrates, ſetting forth, that they were loſers by the undertaking; and they were allowed to exact a fare of 4 d. for each paſſenger in ſummer, and 5 d. in winter; and the ſtables, horſes, and provender being burned that ſame year, a contribution was ſet on foot, by authority of the magiſtrates, for enabling the company to replace them. The ſtate of this buſineſs is now far different. Without the interference of the publick magiſtrate, or invidious and illegal monopolies, ſo great is the concourſe of people paſſing between Edinburgh and Leith, ſo much are ſtage-coaches employed, that they paſs and repaſs between theſe towns daily 156 times ‡. There are alſo ſtage-coaches between Edinburgh and moſt towns of note within forty miles of it; and two ſet off weekly for London.

The firſt mention that we find of hackney coaches in Edinburgh, is in A. D. 1673. At that time, twenty hackney coaches plied in that

* Book I. c. 5. † Council reg. v. 37. p. 214. v. 49. p. 211. v. 51. p. 306. 395.

‡ Each of theſe carriages holds four perſons; the fare in ſome of them is 2½ d. and in ſome 3 d.

that city. Upon * the rebellion 1679, which was terminated in the battle of Bothwell-bridge, the hackney-coach horſes of Edinburgh were employed to draw the royal artillery. The city of Edinburgh is exceedingly ill adapted for the uſe of coaches. In the old town, the lanes and alleys extremely narrow and ſteep, and the houſes piled above each other to a great height, render coaches, except in the high-ſtreet, of no uſe whatever. To the ſouth and weſt quarters of the city, there is no acceſs for carriages from the high-ſtreet, but by St Mary's-wynd; nor is there any to the New Town, or north quarter of the city, but by the bridge. If, on theſe accounts, the demand for hackney coaches be little, the ſupply, it muſt be confeſſed, is as bad. Not that the carriages themſelves are ſhabby or incommodious; for they are better than the general run of the hackney coaches of London. But there is only one ſtand of coaches in the city; thither the coaches repair between eight and nine in the morning; about three in the afternoon, they commonly diſappear; and, when once put up, the owners will, on no account, ſet the horſes again to a coach under five ſhillings. It is owing to theſe circumſtances, joined to the great increaſe of poſt-chaiſes, that the number of hackney coaches, which, in A. D. 1673, was twenty, by the year 1752, had dwindled down to fourteen, and that now (A D. 1778), *there are no more than nine entered hackney coaches in the city of Edinburgh.* But the duty on wheel-carriages in the county of Edinburgh A. D. 1778, was L. 2330.

If the number of hackney coaches be ſo wonderfully ſmall, that of chairs, again, is very conſiderable. Sedan chairs, as well as coaches and ſix, were introduced into this iſland by the † Duke of Buckingham. There are at preſent 188 hackney chairs in Edinburgh, beſides about fifty private ones. The ſtreet-chairs are to be had on a minute's warning, at all hours of the night or day. The fare is very reaſonable; the chairmen are all Highlanders; and they carry the chairs ſo much better than the Iriſh chairmen of London, that an inhabitant of Edinburgh who viſits the metropolis, can hardly repreſs

* Maitland's hiſt. p. 338.; Woodrow's hiſt. vol. 2. p. 52.

† Wilſon's life of James, p. 130.

preſs his laughter at ſeeing the aukward hobble of a ſtreet-chair in the city of London.

The art of coach making was firſt ſet up at Edinburgh about the year 1696; but it was not followed by a tradeſman regularly bred to the buſineſs, till the beginning of the preſent century. At firſt the buſineſs conſiſted only in repairing coaches that had been made at London, and afterwards a few clumſy carriages were begun to be built; but, in the year 1738, Mr John Home coachmaker, who had carried on the buſineſs for ſome time, went to London, where he compleatly inſtructed himſelf in that art. He returned to Edinburgh, provided with ſuitable work-tools, which, till then, were not ſo much as known in that city, and he altered his mode of conducting the buſineſs; ſo that, inſtead of one man being employed as formerly, to execute the different branches of the work, he allotted diſtinct hands to the conſtructing of each part of the carriage, by which means the tradeſmen ſoon became expert in their reſpective lines.

In this manner, the art of coach-making was brought to a perfection, that not only enabled the coach-makers of Edinburgh to ſupply the nobility and gentry of Scotland with carriages, but alſo encouraged their exportation.

Carriages were begun to be exported, in a very ſmall extent, from Leith to the Weſt Indies, A. D. 1766. Since that, there has been a demand for them from Holland, Ruſſia, France, and Poland. The value of carriages exported annually from Edinburgh, is about L. 2200.

It has been already obſerved, that, about forty years ago, there were* only four printing-houſes in Edinburgh; they are now increaſed to twenty-ſeven. It is within the ſame period that printing or writing-paper began to be manufactured in Scotland. Before that, papers were imported from Holland, or brought from England. There are now about ten paper-mills in the neighbourhood of Edinburgh; and ſuch is the ſucceſs of that manufacture, that

* Book III. c. 4.

that little paper for printing is imported; but writing paper is ſo indifferently manufactured, that moſt of this article is ſtill brought from England. Types are made at Edinburgh by Mr Bain; but moſt of thoſe uſed in that city are brought from Glaſgow. Painted paper, or paper for hanging of rooms, was begun to be made by Mr Eſplin, about the ſame time with printing paper. At firſt, Mr Eſplin confined himſelf to two colours, and ſold his paper at a ſhilling *per* piece, conſiſting of twelve yards. The manufacture was improved by degrees, and a variety of colours and patterns introduced; ſo that the painted papers made at Edinburgh may now vie with thoſe that are ſent from England; but vaſt quantities of painted paper are ſtill poured into Edinburgh from the metropolis.

The copper and tin-plate workers, and blackſmiths in Edinburgh, not only ſupply the demand for theſe articles in that city, and many parts of Scotland, but alſo furniſh goods, which are occaſionally ſent to the Weſt Indies and America. As it is the principal defect in copper veſſels, that the tinning is laid on ſo thin as to wear off ſpeedily, Maurice Crawfurd, copperſmith in Edinburgh, invented a method of making the copper take on a thicker body of tin, ſo that the veſſels ſhould not need a frequency of tinning. In A. D. 1770, he obtained a patent for an excluſive privilege of tinning copper veſſels, after the manner invented by him, for a period of fourteen years. This method is found to anſwer well, if care be taken, in uſing of the veſſels, that a ſufficiency of liquid be kept in them to prevent the tin from running.

There are three brick manufactures preſently wrought in the neighbourhood of Edinburgh. Of theſe, that carried on by Mr Jameſon at Brickfield, or Portobello, is the moſt conſiderable. The abundant ſupply of free-ſtone in that neighbourhood renders brick of little uſe, but in making partition-walls. About fifteen years ago, there were not above 400,000 bricks made at theſe manufactures. Such, however, has been the increaſe of buildings, that

about

about 3,000,000 are now made there annually. Of theſe, part are exported to Norway, the Weſt Indies, and Gibraltar.

It is needleſs to remark, that, in ſuch a city as Edinburgh, cabinet and upholſtery work muſt be made, and malt liquor brewed to a conſiderable extent. The duty on ale brewed in the city and precincts, for the year, ended

5th July 1776, was	L. 7234	12	0½
1777	7788	12	9

Of the ſpirits diſtilled there, enough has been ſaid in * another part of our work. We ſhall only obſerve, that the poiſon is not confined to the circle of Edinburgh; but a conſiderable quantity of it is ſent to the north of England.

It remains that we ſpeak of another branch of manufacture, which, till it was inſtituted in Edinburgh, had reſiſted all attempts at its preparation, in this diviſion of the world; we mean that of crude ſal ammoniac. This manufacture was erected in the precincts of Edinburgh, by Meſſrs Davie and Hutton, A. D. 1756. It has ſince been carried on in a manner as extenſive as the nature of a work entirely new could well admit. Till its inſtitution, Britain, and the other nations of Europe, were ſupplied with ſal ammoniac from Egypt and India, where alone it was manufactured. It is now prepared in different parts of Britain, as well as on the continent.

* * * * * *

The inhabitants of Leith were divided into four claſſes, and theſe claſſes erected into corporations by the Queen Dowager, Mary of Lorraine. Theſe were the mariners, maltmen, trades and traffickers. The firſt of theſe conſiſted of ſhip-maſters and ſailors; the ſecond, of malt-makers and brewers; the third, of coopers, bakers, ſmiths, wrights, &c.; and the fourth, of merchants and ſhop-keepers.

* Book III. c. 1.

Of theſe corporations, the mariners are the moſt conſiderable. They obtained from Mary of Lorraine a gift, afterwards ratified by William and Mary, of one penny duty on the ton of goods in the harbour of Leith, for the ſupport of their poor. This duty, which, not many years ago, did not amount to L. 40 a year, now riſes from L. 70, to L. 120, in proportion as trade flouriſhes. For the further ſupport of the poor belonging to the corporation, the ſhipmaſters pay annually ſixpence a pound out of their own wages, and the like ſum they generouſly give upon their ſailors wages. From theſe ſums, and from property acquired, and money lent from former ſavings, and donations made to them, this corporation is enabled to pay from L. 600 to L. 700 a year to their poor. Oppoſite to South Leith church, there is a large houſe belonging to them, called the *Trinity Hoſpital*, becauſe originally conſecrated to the Holy Trinity. In this houſe ſome of their poor uſed formerly to be maintained, now they are all out-penſioners. Beſides other apartments, it contains a large handſome hall for the meetings of the corporation.

Adjoining to the ſchool-houſe, there is another hoſpital. It is called King James's Hoſpital, and bears upon its front the cypher and arms of that Prince. In this houſe, ſome poor women belonging to the other corporations are maintained.

As the town of Leith was very ill ſupplied with water, and the ſtreets were neither properly cleaned nor lighted, an act was * paſſed in the year 1771, appointing certain perſons from among the magiſtrates of Edinburgh, Lords of Seſſion, inhabitants of Edinburgh and Leith, and members of the corporations of Leith, *Commiſſioners of Police*, impowering them to put this act in execution; and, for that purpoſe, to levy a ſum not exceeding ſixpence in the pound upon the valued rent of Leith. The great change upon the ſtreets of Leith, which has ſince taken place, ſhows, that this act has been judiciouſly prepared, and attentively executed.

Upon

* George III. an. 11. c. 30.

Upon the north-weſt ſide of the water of Leith, lies the town of North Leith. It is a part of the barony of Canongate, and is ſubject to the juriſdiction of the Baron Bailie of Canongate, and of the magiſtrates of Edinburgh. The communication between this town and South Leith, is by a ſtone bridge of three arches, which appears to have been founded by Robert Ballantyne, abbot of Holyrood-houſe, about A. D. 1493. At the end of the bridge is the pariſh-church, of which the parſon has a ſtipend of about L. 110. He is preſented to the benefice by the kirk-ſeſſion and pariſhioners.

APPENDIX.

No. I.

Excerpt from a Manuſcript Play, in the Poſſeſſion of David Garrick, Eſq;

'HERE begins the proclamation of the play made by David Lyndſay of the Mount, Knight, in the *play-field*, in the month of the year of God 1555 years.'

'Proclamation made in Cupar of Fife.' (*Ten lines being premiſed, it goes on thus*):

'Our purpoſe is, on the ſeventh day of June,
'*If weather ſerve* *, and we have reſt and peace,
'We ſhall be ſeen into our playing place,
'In good array, about the hour of ſeven.
'Of thriftineſs that day, I pray you ceaſe;
'But ordain us good drink againſt *allevin*.
'Fail not to be upon the Caſtle-hill,
'Beſide the place where we purpoſe to play;
'With good ſtark wine, your flaggons ſee you fill;
'And *had* yourſelves the merrieſt that you may.'

COTTAGER. 'I ſhall be there, with God's grace,
'Tho' there were never ſo great an price;
'And

* This addreſs was both a prologue to the piece, and an ingenious method of informing the ſpectators, that their next exhibition ſhould be on the 7th of June; for the piece from which this excerpt is taken, ends thus:

'As for this play, I have no more to ſay you,
'On Whitſun-Tueſday, come ſee our play, I pray you;
'That ſame day is the ſeventh day of June,
'Therefore get up right early and diſjune.'

'And foremoſt in the fair:
'And drink an quart in Cupar town,
'With my goſſip John Williamſoun,
'Tho' all the nolt ſhould *rair*.'

The play goes on in a connected chain, the different characters making their entries and exits till the end of the piece.

As a ſtriking illuſtration of manners, we were ſtrongly tempted to publiſh the PADLOCK SCENE, *a Spaniſh cuſtom, which, either ſeriouſly or in ridicule, was actually exhibited by our forefathers upon the ſtage; but we could not tranſcribe it without participating the indecency of the original. We muſt reſt, therefore, with obſerving in general, that the groſs allurements with which the ſuitors courted the nymph's affections, and the ludicrous attempts which were made to defeat the precaution of the padlock, are circumſtantially deſcribed. After which, the dotard huſband concludes the ſcene thus:*

AULD MAN. 'By my good faith, Beſs, that is true,
'That I ſuſpected you, ſore I rue.
'I trew there be no man in Fife,
'That ever had ſo good an wife.
'My own ſweet-heart, I hold it beſt,
'That we ſit down and take us reſt.'

No. II.

No II.

In qua perſpici poteſt quot librae, ſolidi, denarii Scotici numerales, ex una argenti libra ponderali variis temporibus eſſent excuſi; ſimulque pes illius monetae, ſive diverſi ſub diverſis Regibus puritatis in ea gradus indicantur.

A. D.	Anno regni.		Puritas. unc.	den.	gr.	Allaia unc.	den.	gr.	Nummorum ex libra argenti cuſorum valor lib.	fol.	den.
ab anno 1107 ad 1296	Alexandri I. Davidis I. Gulielmi. Alexandri II. Alexandri III. Joannis		11	2	0	0	18	0	1	0	0
ab anno 1306 ad 1329	Roberti I.		11	2	0	0	18	0	1	1	0
1366	Davidis II.	38	11	2	0	0	18	0	1	5	0
1367	——	39	11	2	0	0	18	0	1	9	4
ab anno 1371 ad 1390	Roberti II.		11	2	0	0	18	0	1	9	4
1393	Roberti III.	4	11	2	0	0	18	0	1	12	0
1424	Jacobi I.	19	11	2	0	0	18	0	1	17	6
1451	Jacobi II.	15	11	2	0	0	18	0	3	4	0
1456	——	20	11	2	0	0	18	0	4	16	0
1475	Jacobi III	16	11	2	0	0	18	0	7	4	0
1484	——	24	11	2	0	0	18	0	7	0	0
1488	Jacobi IV.	1	11	2	0	0	18	0	7	0	0
1489		2									
1529	Jacobi V.	16	11	0	0	1	0	0	9	12	0
1544	Mariæ	3	11	0	0	1	0	0	9	12	0
1556	——	14	11	0	0	1	0	0	13	0	0
1565	——	23	11	0	0	1	0	0	18	0	0
1567	Jacobi VI.	1	11	0	0	1	0	0	18	0	0
1571	——	5	9	0	0	3	0	0	16	14	0
1576	——	10	8	0	0	4	0	0	16	14	0
1579	——	13	11	0	0	1	0	0	22	0	0
1581	——	15	11	0	0	1	0	0	24	0	0
1597	——	31	11	0	0	1	0	0	30	0	0
1601	——	35	11	0	0	1	0	0	36	0	0
1738	Georgii II.	12	11	2	0	0	18	0	37	4	0

No III.

Deſcription of the Celebration of the Birth-day, during the Tide of Loyalty.

EDINBURGH, May 29. 1665, being his Majeſty's birth and reſtauration day, was moſt ſolemnly kept by people of all ranks in this city. My Lord Commiſſioner, in his ſtate, accompanied with his life-guard on horſeback, and Sir Andrew Ramſay, Lord Provoſt of Edinburgh, bailies, and council, in their robes, accompanied with all the trained bands in arms, went to church, and heard the Biſhop of Edinburgh upon a text as fit as well apply'd for the work of the day. Thereafter, thirty-five aged men, in blew gowns, each having got thirty-five ſhillings in a purſe, came up from the abbey to the great church, praying all along for his Majeſty. Sermon being ended, his Grace entertained all the nobles and gentlemen with a magnificent feaſt, and open table. After dinner, the Lord Provoſt and council went to the croſs of Edinburgh, where was planted a green arbour, loadned with oranges and lemons, wine liberally running for divers hours at eight ſeveral conduits, *to the great ſolace of the indigent commons there.* Having drunk all the royal healths, which were ſeconded by the great guns from the caſtle, ſound of trumpets and drums, vollies from the trained bands, and joyful acclamations from the people, they plentifully entertained the multitude. After which, my Lord Commiſſioner, provoſt, and bailies, went up to the caſtle, where they were entertained with all ſorts of wine and ſweet-meats; and returning, the Lord Provoſt countenancing all the neighbours of the city that had put up bone-fires, by appearing at their fires, being in great numbers; which jovialneſs continued with ringing of bells, and ſhooting of great guns till twelve o'clock at night; Intelligencer, p. 91. 1ſt June 1665.

No.

No IV.

Order of the Funeral of his Grace James Sharp, Lord Archbiſhop of St Andrews, and Primate of Scotland, as it was performed at St Andrews on Saturday the 17th May 1679, the Proceſſion moving from the Abbey to the Town Church.

SIXTY-ONE old men, correſponding * to the years of the defunct's age, each in mourning hoods and cloaks, and bearing on ſtaffs the arms of the archiepiſcopal ſee, impaled with thoſe of the defunct, one preceding and bearing a little gumphion, the reſt following two and two.

The horſe of ſtate, equipped in furniture, as for the riding of parliament, led by footmen, in his Grace's livery.

Two cloſe trumpets, with mourning banners.

A horſe in mourning, led by footmen in mourning.

The great Gumphion borne on a lance.

The great mourning pencil borne by Sir John Strachan.

The defunct's ſervants, and thoſe of the nobility and gentry, in mourning.

The magiſtrates of St Andrews.

The magiſtrates of the other royal boroughs.

The magiſtrates of Edinburgh.

Profeſſors of the univerſity of St Andrews.

Clergymen of the dioceſe.

Doctors and other dignitaries in the church.

The rector of the univerſity, uſhered by his three maces.

Gentlemen and Knights, two and two.

The Lords of Seſſion, uſhered by their four ordinary macers.

The nobility according to their rank, two and two.

Two

* Lyon's regiſter of proceſſions, letters of precedency, teſtificates, and forfaulters, MSS. Lyon office, Edinburgh.

Two cloſe trumpets.

A mourning ſtandard, born by Sharp of Houſton.

Four coats of arms, two paternal, and two maternal, borne each after the other.

The great mourning banner, borne by Cuningham of Barnes.

His Grace's phyſician, ſecretary, and chaplain.

Six purſuivants in their coats,
two and two.

Six heraulds in their coats,
two and two.

The firſt bearing, on an antique ſhield, the arms of the ſee, and of the defunct, impaled; the ſecond, that of the ſee; the third, the croſier; the fourth, the ſcarf; the fifth, the gown; the ſixth and eldeſt, the mitre, on a velvet cuſhion.

The Lord Lyon, King at Arms, in his coat.

The Lord High Chancellor,
preceded by the purſe and great mace.

Macer of privy council.

THE COFFIN,

adorned with eſcutcheons of the defunct's arms impaled with thoſe of the ſee, and with a mitre placed on a velvet cuſhion, fringed and taſſelled with gold, and covered with crape.

Macer of privy council.

Chief mourners, Sir William Sharp of Scots-craig, the deceaſed's only ſon, and Sir William Sharp of Stonie-hill, the deceaſed's brother.

Over the coffin,

a canopy, adorned with a mitre, with ſmall eſcutcheons, mort-heads and cyphers, borne by ſix moderators of preſbyteries, &c.

The Archbiſhop of Glaſgow, and all the Biſhops of Scotland.

The bloody gown in which his Grace was ſlain, borne by the Chaplain of his houſehold.

The coach out of which he was taken and murdered, with the coachman, horſes, and poſtilion, all in deep mourning.

A troop of guards.

The church all in mourning; the pulpit, and before it a table covered with black velvet, on which the coffin was placed.

The funeral ſermon preached by John Biſhop of Edinburgh.

The body laid in the grave with the ſound of open trumpets.

Over the grave a canopy erected, covered with black cloth, and adorned with the gumphion, ſtandards, banners, &c. which had been carried in the proceſſion.

No. V.

Order of the funeral Proceſſion of His Grace John Duke of Rothes, Lord High Chancellor of Scotland, as it was performed on the 23d of Auguſt 1681.

HIS Grace had died in the * palace of Holyroodhouſe, and the body had been brought up to St Giles, accompanied with a train of coaches; thence it was conducted to the royal chapel of Holyrood-houſe, in the order following:

The Commander in Chief of the forces, accompanied by two Adjutant Generals.

A regiment of guards, with their arms reverſed.

The governour of Edinburgh caſtle, who was alſo General of the artillery, with a batoon in his hand, at the head of a company of ſoldiers.

A train of artillery, with waggons and ammunition conform, led by horſes in military equipage, the gunners, &c. walking by.

The Earl of Marr's regiment, with their arms reverſed.

Two conductors in mourning, each bearing long ſtaffs in their hands.

Two perſons in mourning a-breaſt, the one bearing a little gumphion, the other a winged hour-glaſs, with this motto, *Fugit hora.*

Fifty-one poor men, correſponding to the years of the defunct's age, in gowns and hoods, each bearing on a ſtaff his Grace's arms, and having on their ſhoulders, cyphers of his name and age; one preceding, the reſt following two and two.

An open trumpet in the deceaſed's livery, with a banner of his arms.

* Lyon's regiſter of proceſſions, &c. MSS. Lyon office, Edinburgh.

On horſeback, a gentleman in compleat armour, with a plumage of feathers in his helm.

A gentleman bearing, on the point of a lance, the colours of the deceaſed.

Twelve of his Grace's ſervants in mourning, two and two.

The pencil of honour.

The coat of Abernethie, (being one of the quarters of his Grace's arms).

The paternal coat of Leſlie.

The ſtandard of honour.

The horſe of war, with great ſaddle, piſtols, and other accoutrements for war, led by two lacquies in livery.

Two cloſe trumpets in mourning, with banners.

Two purſuivants in their coats; Bute on the right, Carrick on the left.

The great gumphion, or mort-head.

The mourning pencil.

The coat of alliance, by the name of Abernethie, in mourning.

The principal and paternal bearings of the name of LESLIE.

A little mourning ſtandard. Theſe five honours being borne by gentlemen of the name of Leſlie.

Gentlemen allied to the deceaſed, two and two.

Two purſuivants at arms; Dingwall on the right, Cantyre on the left.

The ſpurs borne aloft.

The gauntlets.

The corſlet.

The targe.

The helmet, with wreath and coronet.

The ſword.

All theſe borne by gentlemen of the name of Leſlie.

The deceaſed's ordinary ſaddle horſe, led by two lacquies in livery.

The

The Lord Provoſt,
Magiſtrates, and town-council of Edinburgh, in their robes, uſhered by the city mace and ſword.
The miniſters of Edinburgh, and profeſſors of the univerſity, in their gowns, two and two.
Commiſſaries of Edinburgh, two and two.
Gentlemen and barons, two and two.
The Lords of Seſſion in their robes, uſhered by their four ordinary macers, and followed by the faculty of advocates, and ſociety of clerks to the ſignet, in their gowns.
The Lord Chancellor's gown which he wore in the Court of Seſſion.
Officers of ſtate, (not noblemen), two and two.
Lords, two and two.
Biſhops, two and two.
Viſcounts, two and two.
Earls, two and two.
Marquiſſes.
Dukes.
Two purſuivants in their coats; Unicorn on the right, Ormond on the left.
Two cloſe trumpets.
The eight branches, or armorial bearings of his Grace's family; four paternal on the right, and four maternal on the left, two and two, viz.
1. and 2. That of Ker, Earl of Roxburgh, borne by Macdowall of Mackerſtoune; and that of Balzac, Duke of Entrague, by Sir William Hope.
3. and 4. Hamilton of Evandale, borne by the Laird of Gilkerſcleugh; and Murray Earl of Tullibardine, by Mungo Haldane of Gleneagies.
5. and 6. Drummond Earl of Perth, borne by Drummond of Hawthornden; and Stuart Duke of Lennox, by William Gordon, Eſq; advocate.

Leſlie

7. and 8. Leſlie Earl of Rothes, by Sir John Leſlie of Newtoun; and Areſkine Earl of Marr, by John Areſkine of Alva.

A horſe in mourning, led by lacquies in mourning.

The great mourning banner, borne by the maſter of Newark.

Six heraulds in their coats, two and two, bearing as follows: Iſlay on the right, bearing the paternal coat; Albany on the left, bearing the coat of alliance.

Marchmont the creſt, ſcroll and motto; Rotheſay the helmet, adorned with ducal coronet, wreath and mantling.

Snadown the ſword, and Roſs the targe.

* Two Surgeons.

Two apothecaries.

Two ſecretaries.

Two chaplains.

Two doctors of medicine.

A horſe adorned with trappings ſuitable to the proceſſion of the parliament, led and attended by eight lacquies in his Grace's livery.

The deceaſed's parliamentary robes, borne by two gentlemen of the name of Leſlie.

The ducal coronet borne by Leſlie of Balquhain.

The Archbiſhop of St Andrews; on his left, the Archbiſhop of Glaſgow.

Sir Alexander Areſkine of Cambo, Lord Lion King at arms in his robes, bearing the deceaſed's coat of arms, ſupported on the right by Sir Robert Sinclair of Stevenſon; on the left, by Sir Charles Areſkine of Alva, each bearing out a ſide of the coat armorial.

A

* The ſurgeons and apothecaries diſputed upon precedency; the ſurgeons would not walk, and other perſons were appointed in their place.

The white rod

A batoon, denoting his Grace to have once been commander in chief of the forces, borne by Urquhart of Meldrum.

The treaſurer's emblem mace, of his having once been Lord Treaſurer.

A macer of privy council.

A macer of privy council.

The purſe, and great ſeal of Scotland.

The Chancellor's mace.

THE COFFIN,

Covered with a rich mort-cloth, adorned with a ducal coronet, ſmall eſcutcheons of the deceaſed's arms, mort-heads, and cyphers,

Borne by the Duke of Hamilton, the Marquis of Douglas, the Marquis of Athole, the Earls of Airth, Buchan, Caſſils, Linlithgow, Perth, Roxburgh, Queenſberry, Tweedale, and Tarras; and the Lords Cardroſs, Pitſligo, and Newark.

Over the coffin,

A rich canopy, adorned with a ducal coronet, eſcutcheons of the deceaſed's arms, of the branches of his family, cyphers, &c.

Borne by noblemen's ſons, viz. Lord Murray, Lord Charles Hamilton, the Lords Lorn, Keith, Livingſtone, Glames, Crichton, Ogilvie, Yeſter, Boyd, Cochrane, Inverurie; Lord Charles Murray, Lord James Murray; the maſters of Kingſtone, Forbes, Roſs, Balmerino, Burleigh, Melvill, and Pitſligo; the noblemen who carried the body and canopy being relieved by a number of knights and gentlemen.

Chief

Chief mourners
In hoods and gowns, having their trains borne by gentlemen in mourning;
MARQUIS of MONTROSE, and EARL of HADINGTON,
Sons-in-law to the deceaſed, aſſiſted by ten of his neareſt relations, viz. the Earls of Crawfurd, Mariſchall, Marr, Eglintoun, Northeſk, Kintore; the Lords Montgomery, Lindores, Bruntiſland; and Mr Francis Montgomery.
The deceaſed's coach, with ſix horſes, coachman and poſtilion in mourning.
A troop of Guards.

From the chapel of Holyrood-houſe, the body was next day conveyed to Leith in a hearſe, followed by a train of coaches, thence it was tranſported to Bruntiſland; and the day after it was met by the gentlemen of the county of Fife, of which his Grace was high ſheriff; and by them it was accompanied to the family burying-place at Leſlie, the body being laid in the grave with ſound of open trumpets, and the honours placed above the grave.

No. VI.

No VI.

Order of Proceſſion in Riding of the Scottiſh Parliament, as performed at Edinburgh upon the 6th of May 1703, with the number of thoſe who went, or ſhould have gone in Proceſſion.

THE ſtreets of the city of Edinburgh and Canongate being cleared of all coaches and carriages, and a lane formed, by the ſtreets being inrailed, on both ſides; within which none were permitted to enter but thoſe who went in proceſſion, the captains, lieutenants, and enſigns of the trained-bands excepted. Without the rails, the ſtreets being lined with the horſe-guards, from the palace of Holyrood-houſe, weſtwards; after them with the horſe-grenadiers; next, with the foot-guards, who covered the ſtreets up to the Netherbow; and thence to the parliament-ſquare, by the trained-bands of the city; from the parliament-ſquare to the parliament-houſe, by the Lord High Conſtable's guards; and from the parliament-houſe to the bar, by the Earl Marſhall's guards; the Lord High Conſtable being ſeated in an elbow-chair at the door of the parliament-houſe; the officers of ſtate having rode up before in their robes; and the members of parliament, with their attendants, being aſſembled at Holyrood-houſe, the rolls of parliament were called by the Lord Regiſter, Lord Lyon, and Heralds, from the windows and gates of the palace; from which the proceſſion moved to the parliament-houſe in the following order:

Two trumpets in coats and banners, bareheaded, riding.
Two purſuivants in coats and foot-mantles, ditto.
Sixty-three commiſſioners for boroughs on horſeback, covered, two and two, each having a lacquey attending on foot, the odd member walking alone.

Seventy-ſeven commiſſioners for ſhires on horſeback, covered, two and two,
each having two lacqueys attending on foot.
Fifty-one Lords Barons in their robes, riding, two and two,
each having a gentlemen to ſupport his train, and three lacquies on foot, wearing above their liveries, velvet ſurtouts, with the arms of their reſpective Lords, on the breaſt and back, emboſſed on plate, or embroidered with gold and ſilver.
Nineteen Viſcounts as the former.
Sixty Earls as the former, four lacquies attending on each.
Four trumpets, two and two.
Four purſuivants, two and two.
And ſix heralds, two and two, bareheaded.
Lord Lyon King at arms, in his coat, robe, chain, batoon, and foot-mantle.

Three Maces.

Sword of ſtate
Borne by the Earl of Marr
The Scepter,
By the Earl of Crawfurd.

Three Maces.

THE CROWN,

By the Earl of Forfar, in room of the Marquis of Douglas.
The purſe and commiſſion, by
The Earl of Morton.

THE DUKE OF QUEENSBERRY, LORD HIGH COMMISSIONER,

With his ſervants,
Pages and footmen.

Four

Four Dukes, two and two,
Gentlemen bearing their trains, and each having eight lacquies.
Six Marquiſſes,
Each having ſix lacquies.
The Duke of Argyle
Captain of the horſe-guards.
The Horſe-guards.

The Lord High Commiſſioner was received by the Lord High Conſtable, and by him conducted to the Earl Marſhal, between whom, his Grace, uſhered by the Lord High Chancellor, was conveyed to the throne. When the parliament roſe, the proceſſion returned in nearly the ſame order to Holyrood-houſe, where the members were magnificently entertained at ſupper by the Commiſſioner.

No VII.

Table of the Fiars of the County of Edinburgh, from A. D. 1645 to 1777, inclusive.*

BEST	1645.	1646.	1647.	1648.	1649.	1650.	1651.
							Sterling.
Wheat	L. 0 11 1 4/12	0 11 8	0 18 4	1 1 1 1/3	1 2 2 1/3	1 2 2 1/3	1 0 10
Bear	0 8 10 2/3	0 8 4	0 12 2 2/3	0 16 8	0 17 9 1/2	0 17 9 1/2	0 18 4
Oats	0 7 2 2/3	0 6 1 1/3	0 10 6 2/3	0 15 6 2/3	0 16 8	0 16 8	0 16 8
Meal	0 8 10 2/3	0 8 10 2/3	0 12 2 2/3	0 16 8	0 17 9 1/2	0 18 4	0 18 4
Peaſe and beans	0 7 6	0 6 8	0 13 10 2/3	0 15 0	0 18 4	0 15 0	0 15 0

	1652.	1653.	1654.	1655.	1656.	1657.	1658.
Wheat	L. 0 18 4	None ſtruck.	0 7 6	0 11 8	0 11 11 1/3	0 11 1 1/3	None ſtruck.
Bear	0 16 8		0 7 9 1/3	0 10 11 1/3	0 10 6 2/3	0 10 6 2/3	
Oats	0 12 6		0 4 5 1/3	0 5 6	0 6 11 1/3	0 6 8	
Meal	0 13 4		0 5 6 2/3	0 12 6	0 8 4	0 8 4	
Peaſe	0 15 0		0 3 4	0 6 8	0 5 10	0 6 1 1/3	

	1659 and 1660†.	1661.	1662.	1663.	1664.	1665.	1666.
Wheat	L. 0 18 4	0 18 4	0 15 0	0 15 0	0 11 8	0 12 6	0 10 6 2/3
Bear	0 10 6 2/3	0 15 0	0 12 6	0 11 8	0 9 5 1/3	0 9 2	0 10 0
Oats	0 10 10	0 10 6	0 7 9 1/3	0 7 9 1/3	0 5 6 2/3	0 6 4	0 6 8
Meal	0 11 8	0 10 6		0 8 4	0 6 8	0 7 5	0 8 0
Peaſe	0 8 10 2/3	0 9 5 1/3	0 5 10	0 6 8	0 4 5 1/3	0 7 2 2/3	0 6 0

	1667.	1668.	1669.	1670.	1671.	1672.	1673.
Wheat	L. 0 9 2	0 10 6 2/3	0 10 6 2/3	0 10 3 1/3	0 16 11 1/3	0 12 2 2/3	0 11 1 1/3
Bear	0 10 10	0 10 0	0 10 0	0 10 0	0 10 6 2/3	0 11 3 1/3	0 10 6 2/3
Oats	0 6 4	0 6 8	0 5 6 2/3	0 8 4	0 10 0	0 7 9 1/3	0 7 9 1/3
Meal	0 6 11 1/3	0 6 8	0 7 4	0 8 10 2/3	0 11 1 1/3	0 8 10 2/3	0 8 4
Peaſe	0 6 8		0 5 3 1/3	0 5 10	0 10 0	0 7 2 2/3	0 10 0

1674.

* Fiars are a term in the Scots law and in farming, denoting the converted prices of victual eſtabliſhed by the ſheriffs of the different counties in Scotland for each year. The rates thus eſtabliſhed are, in fact, lower than the prices commonly given at the time. † No difference betwixt 1659 and 1660, being both made in An. 1660; becauſe the court did not ſit in 1659.

	1674.	1675.	1676.	1677.	1678.	1679.	1680.
Wheat	L. 1 0 6⅔	0 18 4	0 11 4	0 11 1⅓	0 11 8	0 15 0	0 10 5
Bear	0 16 1⅓	1 0 0	0 11 8	0 11 8	0 9 4	0 11 1⅓	0 10 0
Oats	0 13 10⅔	0 13 0	0 5 10	0 6 1⅓	0 5 10	0 6 8	0 6 8
Meal	0 15 6⅔	0 13 4	0 6 8	0 6 8	0 6 8	0 7 9⅓	0 8 0
Peafe	0 18 4	0 14 2	0 6 8	0 5 0	0 5 0	0 7 2⅔	0 9 8

	1681.	1682.	1683.	1684.	1685.	1686.	1687.
Wheat	L. 0 10 5	0 12 6	0 13 2	0 10 4	0 10 8	0 10 0	0 9 8
Bear	0 10 0	0 14 5	0 9 10	0 9 8	0 9 6	0 10 10	0 9 7
Oats	0 8 4	0 9 0	0 7 9⅓	0 7 2⅔	0 6 10	0 6 8	0 6 10
Meal	0 8 10⅔	0 9 4	0 7 9⅓	0 7 4	0 7 2⅔	0 7 1	0 7 5
Peafe	0 9 2	0 8 4	0 6 8	0 6 8	0 6 0	0 9 8	0 6 ●

	1688.	1689.	1690.	1691.	1692.	1693.	1694.
Wheat	L. 0 9 4	0 13 10⅔	0 15 0	0 12 8	0 11 8	0 14 4	0 14 10
Bear	0 9 6	0 10 5	0 14 5⅓	0 9 10	0 10 0	0 10 5	0 10 6⅔
Oats	0 7 9⅓	0 9 6	0 11 3	0 7 2⅔	0 6 8	0 7 4	0 8 0
Meal	0 8 4	0 9 10	0 11 4	0 7 4	0 6 11⅓	0 8 ●	0 8 4
Peafe	0 8 4	0 7 6	0 13 2	0 6 8	0 6 8	0 7 2⅔	0 8 7⅓

	1695.	1696.	1697.	1698.	1699.	1700.	1701.
Wheat	L. 0 17 2⅔	1 1 1⅓	0 19 5⅓	1 8 4	1 3 4	0 16 1⅓	0 11 8
Bear	0 13 9	1 0 0	0 15 10	1 2 2⅔	1 1 1	0 15 10	0 10 6⅔
Oats	0 12 2⅔	0 16 8	0 11 1⅓	1 0 0	0 15 0	0 10 0	0 6 11⅓
Meal	0 12 11	0 19 4	0 12 5⅓	1 2 0	0 16 8	0 11 1⅓	0 8 0
Peafe	0 13 10⅔	0 19 6	0 11 1⅓	1 1 8	0 16 11⅓	0 8 4	0 5 3⅓

	1702.	1703.	1704.	1705.	1706.	1707.	1708.
Wheat	L. 0 11 8	0 14 2	0 12 10	0 10 10	0 8 10⅔	0 12 2⅔	0 15 10
Bear	0 11 1⅓	0 11 11⅓	0 11 3	0 11 0	0 8 6	0 8 10⅔	0 12 2⅔
Oats	0 10 0	0 9 2	0 8 10⅔	0 7 9⅓	0 5 6⅔	0 6 6	0 10 10
Meal	0 11 8	0 10 5	0 10 0	0 8 10⅔	0 6 8	0 7 6	0 12 0
Peafe	0 8 4	0 7 6	0 7 6	0 8 4	0 4 8	0 5 0	0 8 10⅔

1709.

		1709.	1710.	1711.	1712.	1713.	1714.	1715.
Wheat	L.	1 1 1 1/3	0 14 7	0 14 2	0 14 2	0 17 6	0 12 10	0 14 5 1/3
Bear		0 14 7	0 14 2	0 12 2 1/3	0 10 6 2/3	0 10 10	0 12 10	0 11 4
Oats		0 12 6	0 10 3 1/3	0 8 4	0 7 10	0 8 4	0 8 10 2/3	0 8 10 2/3
Meal		0 14 2 2/3	0 12 0	0 10 0	0 8 10 2/3	0 10 0	0 10 0	0 10 0
Peafe		0 11 8	0 11 1 1/3	0 6 8	0 6 4	0 13 4	0 10 0	0 9 5 1/3

		1716.	1717.	1718.	1719.	1720.	1721.	1722.
Wheat	L.	0 12 9 1/3	0 12 6	0 12 2 2/3	0 12 2 2/3	0 10 4	0 12 6	0 12 6
Bear		0 10 5	0 9 6	0 11 0	0 11 8	0 11 3	0 10 3 1/3	0 11 6
Oats		0 7 9 1/3	0 9 2	0 8 8	0 9 10	0 9 2	0 8 7 1/3	0 9 10
Meal		0 8 4	0 10 0	0 10 0	0 10 8	0 10 0	0 10 0	0 10 8
Peafe		0 5 6 2/3	0 6 8	0 6 8	0 8 4	0 8 4	0 8 4	0 11 8

		1723.	1724.	1725.	1726.	1727.	1728.	1729.
Wheat	L.	0 12 10	0 13 0	0 16 0	0 13 8	0 15 0	0 16 8	0 14 4
Barley		0 13 9	0 10 5	0 11 8	0 10 6	0 12 5	0 15 0	0 11 1 1/3
Oats		0 10 8	0 8 7 1/3	0 9 5 1/3	0 8 10 2/3	0 9 2	0 11 4	0 10 0
Meal		0 11 6	0 8 10 2/3	0 11 1 1/3	0 10 0	0 10 8	0 12 4	0 11 0
Peafe		0 11 0	0 7 6	0 8 6	0 7 8	0 9 2	0 11 0	0 7 8

		1730.	1731.	1732.	1733.	1734.	1735.	1736.
Wheat	L.	0 12 10	0 13 0	0 10 6	0 12 9 1/3	0 14 10	0 14 10	0 12 6
Bear		0 9 5 1/3	0 9 8	0 8 9	0 10 5	0 10 5	0 10 7	0 11 10
Oats		0 7 8	0 8 6	0 7 5	0 8 4	0 8 4	0 9 8	0 9 4
Meal		0 8 8	0 9 6	0 8 4	0 10 0	0 10 0	0 11 0	0 10 0
Peafe		0 5 4	0 5 6	0 6 0	0 6 8	0 7 6	0 8 8	0 10 0

		1737.	1738.	1739.	1740.	1741.	1742.	1743.
Wheat	L.	0 13 4	0 11 0	0 13 7	1 2 1	0 14 2	0 11 0	0 10 0
Barley		0 11 8	0 9 10	0 12 0	0 17 8	0 11 1 1/3	0 11 1 1/3	0 9 4
Oats		0 8 10	0 6 10	0 9 4	0 14 6	0 9 4	0 7 6	0 6 6
Meal		0 10 6	0 8 2	0 11 0	0 17 0	0 10 8	0 8 4	0 7 6
Peafe		0 10 6	0 6 6	0 9 2	1 0 0	0 9 4	0 7 6	0 6 0

1744.

		1744.	1745.	1746.	1747.	1748.	1749.	1750.
Wheat	L.	0 11 10	0 15 6	0 14 0	0 13 8	0 14 4	0 13 4	0 13 6
Bear		0 16 6	0 11 8	0 11 8	0 11 2	0 11 4	0 10 6	0 10 7
Oats		0 9 4	0 11 0	0 9 4	0 7 8	0 9 0	0 9 0	0 9 4
Meal		0 11 8	0 12 8	0 10 6	0 8 8	0 10 0	0 10 8	0 10 8
Peaſe		0 8 0	0 10 6	0 7 6	0 7 6	0 6 8	0 7 0	0 9 7

		1751.	1752.	1753.	1754.	1755.	1756.	1757.
Wheat	L.	0 17 8	0 15 0	0 15 0	0 12 8	0 13 8	1 2 0	0 18 9
Barley		0 12 0	0 13 0	0 14 0	0 10 5	0 11 0	0 16 8	0 14 9
Oats		0 11 8	0 12 0	0 10 6	0 9 0	0 11 0	0 15 0	0 12 0
Meal		0 13 8	0 13 4	0 12 0	0 10 0	0 12 0	0 16 8	0 13 8
Peaſe		0 12 6	0 13 4	0 10 6	0 8 0	0 10 6	0 16 8	0 13 4

		1758.	1759.	1760.	1761.	1762.	1763.	1764.
Wheat	L.	0 15 0	0 13 4	0 13 6	0 14 0	0 19 6	0 16 8	0 19 0
Barley		0 10 6	0 10 5	0 10 3	0 10 6	0 14 3	0 13 6	0 13 9
Oats		0 8 8	0 8 0	0 8 4	0 9 0	0 15 0	0 10 6	0 12 2
Meal		0 10 0	0 8 8	0 9 6	0 10 6	0 16 8	0 11 8	0 13 4
Peaſe		0 8 0	0 6 0	0 8 0	0 8 0	0 12 6	0 11 8	0 12 0

		1765.	1766.	1767.	1768.	1769.	1770.	1771.
Wheat	L.	1 0 0	0 19 6	1 1 0	1 0 0	0 18 0	0 18 6	1 1 0
Bear		0 16 6	0 17 0	0 14 0	0 11 9	0 13 6	0 13 9	0 16 3
Oats		0 14 6	0 14 3	0 14 0	0 10 0	0 11 6	0 12 0	0 14 8
Meal		0 16 0	0 15 6	0 15 4	0 12 0	0 14 0	0 14 0	0 16 8
Peaſe		0 13 0	0 14 6	0 14 6	0 13 6	0 11 0	0 11 6	0 14 0

		1772.	1773.	1774.	1775.	1776.	1777.
Wheat	L.	1 2 6	1 2 3	1 1 0	0 19 0	0 18 6	1 0 0
Bear		0 17 6	0 17 4	0 16 3	0 13 11	0 12 0	0 13 0
Oats		0 14 6	0 14 0	0 13 6	0 10 0	0 10 0	0 10 6
Meal		0 16 8	0 15 0	0 15 6	0 12 0	0 12 0	0 12 0
Peaſe		0 15 0	0 12 6	0 12 6	0 10 6	0 10 0	0 10 0

No. VIII.

A DISSERTATION ON THE SCOTTISH MUSICK *.

Noſtras nec erubuit ſylvas habitare Thalia. VIRG.

THE genius of the Scots has in nothing ſhone more conſpicuous than in poetry and muſick. Of the firſt, the poems of Oſſian, compoſed in an age of rude antiquity, are ſufficient proof. At this day they are admired both in our own country, and in the nations on the Continent, by every perſon of unprejudiced taſte; and will continue to be ſo, as long as there ſhall remain a true ſenſe of the ſublime in poetry. The peeviſh doubt that ſome have entertained of their authenticity, appears to be the utmoſt refinement of ſcepticiſm.

The Scottiſh muſick does no leſs honour than its poetry, to the genius of the country. The old Scots ſongs, or melodies, have always been admired, for that wild pathetick ſweetneſs which diſtinguiſhes them from the muſick of every other country. I am prompted in this eſſay to try if I can fix the aera of our moſt antient melodies, and trace the hiſtory of our muſick down to modern times. In a path ſo untroden, where ſcarce a track is to be ſeen to lead the way, the ſureſt guide I have to follow is the muſick itſelf, and a few authorities from our hiſtory. After all, the utmoſt I aim at is probability; and, perhaps, by ſome hints, I may lead others to hit upon a more direct road.

From their artleſs ſimplicity, it is evident, that the Scots melodies, or ſongs, are derived from a very remote antiquity. The abſurd conjecture, that David Rizzio was either the compoſer or reformer of the Scottiſh melodies, has of late been ſo fully expoſed, that I need ſay very little to confute it: That the ſcience of muſick was well underſtood, and that we had great maſters, both theoriſts and performers, more than a century before Rizzio came to Scotland,

* We were favoured with this diſſertation by a learned and ingenious friend.

Scotland, I ſhall immediately ſhow. He is by no cotemporary writer ſaid to have been a compoſer. He is not even extolled as a great performer; nor is there tradition for his being the author of any one particular ſong; and, allowing him to have had ability, the ſhort time he was in Scotland, ſcarce three years, was too buſy with him to admit of ſuch amuſement.—Let us endeavour to trace back our muſick nearer to its origin.

The moſt antient of our ſongs ſtill preſerved, are extremely ſimple, and void of all art. They generally conſiſt only of one meaſure *, without a ſecond part, as the later or more modern airs have; and they muſt have been compoſed for a very ſimple inſtrument, ſuch, perhaps, as the ſhepherd's pipe, of few notes, and of the plain diatonick ſcale, without uſing the ſemitones, or ſharps and flats. The ſtrain of our old melodies is plaintive and melancholy; and, what makes them ſoothing and affecting to a great degree, is a conſtant uſe of the concordant tones, the third and fifth of the ſcale, often ending upon the fifth, and ſome of them on the ſixth of the ſcale. By this artleſs ſtandard, ſeveral of our oldeſt Scots melodies may be traced; ſuch as *Gil Morris*,—*There cam' a ghoſt to Marg'ret's door*,—*O laddie, I man loo the*,—*Hap me wi' thy pettycoat*. I mean the old ſets of theſe airs, as the laſt air, which I take to be one of our oldeſt ſongs, is ſo modernized, as ſcarce to have a trace of its antient ſimplicity.

It may, perhaps, be ſaid, that the words of ſome of theſe ſongs denote them to be of no very antient date: But, it is well known, that many of our old ſongs have changed their original names, by being adapted to more modern words. The laſt tune, *Hap me wi' thy pettycoat*, I have ſeen in an old MS. book, under another title, and many inſtances of ſuch changes may be given in the names of our ſongs. To return;—the ſimplicity and wildneſs of thoſe, and

* Some old tunes have a ſecond part; but it is only a repetition of the firſt part, on the higher octave; and moſt of theſe ſecond parts, I ſuſpect, are of a more modern date than the tunes themſelves.

ſeveral other Scots melodies, denote them, in my opinion, to be the production of an age, prior to the uſe of any muſical inſtrument beyond that of a very ſimple ſcale, of few natural diviſions, and prior to the knowledge of any rules of artificial muſick. This conjecture, if ſolid, muſt carry them up to a very high antiquity.

That the ſcience of muſick, and the rules of compoſition, were known before the 15th century, is certain. King James I. the moſt accompliſhed Prince of his time, a patriot, lawgiver, and poet, is celebrated by all the Scots hiſtorians, not only as an excellent performer, but a great theoriſt in muſick, and a compoſer of airs to his own verſes *. "Hic etenim in muſica, (ſays Fordun), non ſolum in ſono vocis, ſed in artis perfectione, in tympano et choro, in pſalterio et organo. Non inquam avidi ad uſum, ſed ad ſummae perfectionis magiſterium natura creatrix, quaedam vis et potentia divinitus humano generi inſita, ultra humanam aeſtimationem ipſum vivaciter decoravit; praeſertim in tactu citharae tanquam alterum Orpheum, principem et praelatum omnium citharoedorum, in citharis ſuis, dilectabiliter et dulciter illum praedotavit." Fordun, in the ſame jingling ſtile, has a whole chapter, the 29th of his hiſtory, on King James's learning and knowledge, in the antient Grecian, as well as in the modern ſcales of muſick, which is too long to be tranſcribed, but, for its curioſity, is worthy to be conſidered by the modern *dilettante* in muſick.

The next authority is John Major, who celebrates James I. as a poet, compoſer, and admirable performer of muſick; and affirms, that, in his (Major's) time, the verſes and ſongs of that Prince, (*Cantilenae*) were reckoned among the firſt of the Scots melodies. I ſhall give the whole paſſage:

"In vernacula lingua artificioſiſſimus compoſitor, cujus codices plurimi *et cantilenae memoriter adhuc apud Scotos inter primos habentur.* Artificioſum libellum de Regina, dum captivus erat, compoſuit, antequam eam in conjugem duxerat. Et aliam artificioſam cantilenam

* Forduni Scoti-chronicon, v. 2. c. 28.

lenam ejuſdem, *yas ſen*, &c. et jucundum artificioſumque illum tantum, *at Beltayn*, quem alii de Dalkeith et Gargeil, mutare ſtuduerunt, quia in arce aut camera clauſus ſervabatur, in qua mulier cum matre habitabat." It is a pity that Major has left us only this obſcure hint of the ſubject of this ſong.

Amongſt the number of our old Scots melodies, it is, I think, ſcarce to be doubted, that many of King James's compoſitions which were eſteemed amongſt the *firſt of the age*, are ſtill remaining; but, as no tradition down to our time, has aſcertained them, they, in all probability, paſs undiſtinguiſhed, under other names, and are adapted to more modern times. There can be no doubt, however, that moſt of James's compoſitions have ſhared the ſame fate with many of our old airs, and are now loſt. All our old heroick ballads, ſuch as *Hardyknute*, and others, were undoubtedly ſung to tunes compoſed for them, now loſt. Among thoſe ſtill preſerved, the epiſodes of *Oſſian* are at this day ſung in the Highlands; *Gill Morris*, the *Flowers of the Foreſt*, *and Hero and Leander*, are ſtill ſung to their old pathetick ſtrains. Theſe, however, are but a few of many old ballads whoſe airs are now unknown. In the MS. collection of Scottiſh poems before the 1568, made by *Banatyne*, formerly in Lord Hyndford's poſſeſſion, now in the Advocates Library at Edinburgh, the favourite poem of the *Cherry and the Slae*, and alſo a poem of Sir Richard Maitland of Ledinton, father to the famous Secretary Maitland, are entitled, 'To be ſung to the tune 'of *Banks of Helicon*.' This muſt have been a well known tune two hundred years ago, as it was ſung to ſuch popular words, but it is now loſt. It cannot exiſt under other words, as the metrical ſtanza of the Cherry and Slae is ſo particular, that I know no air, at this day, that could be adapted to it. We find in old books, many names of ſongs, of which the verſes remain, yet of the tunes we now know nothing.

In the ſame way, moſt of King James I.'s poetical pieces are now loſt, or cannot be diſtinguiſhed as his; and ſome of them that re-

main, ſuch as *Chriſt's Kirk on the Green*, are even attributed to other authors.

It may be ſuſpected from the above high ſtrained authorities, that his countrymen rather allowed themſelves to be carried too far in ſetting out the qualifications of their King. I ſhall, however, produce the teſtimony of a foreigner, a celebrated author, who does James ſtill more honour than the writers of his own country; and, ſingular as the propoſition may appear, I ſhall endeavour to prove, that the Scots melodies, ſo far from being either invented or improved by an Italian maſter, were made the models of imitation in the fineſt vocal compoſitions of one of the greateſt maſters of compoſition in Italy.

The celebrated *Carlo Geſualdo, Prince of Venoſa*, formerly *Venuſium*, famous as being the birth-place of Horace, flouriſhed about the middle, or towards the end of the 16th century, and died in 1614. Blancanus, in his Chronologia Mathematicorum, thus diſtinguiſhes him: 'The moſt noble Carolus Geſualdus, Prince of Venuſium, 'was the Prince of muſicians of our age, he having recalled the '*rythme* into muſick, introduced ſuch a ſtile of modulation, that 'other muſicians yielded the preference to him; and all ſingers 'and players on ſtringed inſtruments, laying aſide that of others, 'every where eagerly embraced his muſick *." He is alſo celebrated by Merſennus, Kircher, and almoſt all the writers of that age, as one of the moſt learned and greateſt compoſers of vocal muſick in his time.

To apply this account of the Prince of Venoſa to the ſubject in hand, Aleſſandro Taſſoni, in his *Penſieri diverſi, libro* 10. *cap.* 23. thus expreſſes himſelf: 'We may reckon among us moderns, James 'King of Scotland, who not only compoſed many ſacred pieces of 'vocal muſick, but alſo of himſelf *invented a new kind of muſick, 'plaintive and melancholy, different from all other, in which he has* 'been

* Sir John Hawkins, vol. 3. p. 212.

'*been imitated by Carlo Geſualdo, Prince of Venoſa*, who, in our age, 'has improved muſick with new and admirable inventions *.'

What an illuſtrious teſtimony this, to the excellency of our old Scots ſongs! Let us here do juſtice to the reſtorer of this record, who, next to Taſſoni, deſerves the thanks of every Scotſman. I mean the late Patrick Lord Elibank; for, although Taſſoni is well known as a poet, particularly by his celebrated *Sechia rapita*, the firſt of the mock heroick poems among the moderns; yet his book *de diverſi penſieri*, though printed near two centuries ago, and containing a great deal of learned and curious obſervation, is but little known on this ſide of the Alps; and that curious paſſage which ſo long had eſcaped the notice of every Scotſman, might quietly have ſlept in the dark repoſe of great libraries, had not the penetrating reſearch of this acute and learned nobleman, about twenty years ago, produced it to light. From him I had a copy of that paſſage, ſince publiſhed by Sir John Hawkins and others. To return to our ſubject.

How would ſome of the *dilettante* in muſick, of the preſent times, ſneer with contempt to be told, that the Italians, the patriarchs of modern muſick, owe the reformation of their muſick to the early introduction of Scottiſh melodies into it; yet nothing is more certain, as is proved not only from the candid acknowledgment of Taſſoni, but from the teſtimony of the Italian muſick itſelf, before the Prince of Venoſa's time.

It is at this day no longer a queſtion, that the art of compoſition in parts, or, what is called harmony, is the invention of the moderns; but by whom invented, or at what particular aera, is not ſo clear. As the cultivation of modern muſick was chiefly among the eccleſiaſticks, on account of the church-ſervices daily in uſe to be ſung by

* Noi ancora poſſiamo connumerar tra noſtri Jacopo Re di Scozia, che non pur coſe ſacre compoſe in Canto, ma trova da ſe ſteſſo, una nuova muſica, lamentevole e meſta, diſferente da tutte l'altre. Nel che poi e ſtato imitato da Carlo Geſualdo Principe di Venoſa, che in queſta noſtra eta ha illuſtrata anch' egli la muſica con nuove mirabili invenzioni.

by them, the rules of harmony undoubtedly took riſe, and were improved among them. Guido d'Arezzo, a Benedictine monk, about the beginning of the 11th century, is by many authors ſaid to have reformed the ſcale, by introducing the lines, and the notation on them by points, inſtead of the letters of the alphabet formerly in uſe; from which the name of *counterpoint*, for the art of compoſition in parts, is derived. From that period, it was by degrees improved, until it was brought to perfection, in the golden age of the reſtoration of other polite arts and ſciences in Italy, the pontificate of Leo X. At this time flouriſhed the venerable *Paleſtrina*, ſtiled the father of harmony; and, in the ſame age, though later than him, the Prince of Venoſa mentioned above. As the productions of a harmoniſt, and thorough maſter of the art of counterpoint, the compoſitions of *Paleſtrina*, even at this day, ſtrike us with admiration by their artful fugues, and the full and ſublime harmony of their parts. In the church-ſtile, nothing except the grandeur and ſublimity of the chorus's of the late great *Handel*, can exceed them; yet ſtill in one great point the muſick of Paleſtrina is deficient. The head may be entertained with the learning and artful contrivance of a well wrought *fugue*, or the mind elevated by the harmony of a full choir of voices; yet ſtill melody or air is wanting.

To any perſon verſant in the works of thoſe great maſters of harmony in Paleſtrina's time, there will appear the ſame ſtile, learning, and artful contrivance which runs through every ſpecies of their compoſitions, their *maſſa's motteti*, *canons*, and *madrigall's*, all of them are compoſed in the ſtrict *canon*, or fugue ſtile.

I do not remember to have ſeen any *cantata*, or ſong of one part, of the age of Paleſtrina. The Italian muſick, for private entertainment, at that time, ſeems to have been the *madrigall's*, generally ſet to ſome favourite ſtanzas, or love verſes of Petrarcha Arioſto, or Taſſo. It is compoſed in the fugue ſtile, for three or four parts, ſung in the *alla breve* time. The madrigall, when well executed, by

proper

proper voices, is pleaſant and ſoothing, but, deficient in air, ſoon becomes dull and tireſome.

In this ſtate was the muſick of Italy, when we may ſuppoſe the Scots melodies of James I. had found their way into that country. Will it be then wondered at, that ſuch a genius as Carlo Geſualdo, ſhould be ſtruck with the genuine ſimplicity of ſtrains which ſpoke directly to the heart? or, that he ſhould imitate or adopt ſuch new and affecting melodies, which he found were wanting in the muſick of his own country? I will venture to ſay, that the natural ſweet and plaintive ſtrains of *Jocky and Sandy*,—*Will ye go to the ewe bughts*,—*Be conſtant ay*, and many other of our old ſongs about that age, muſt touch the heart of every genius, in every country, and might enrich the compoſitions of the greateſt foreign maſter.

> Purpureus late qui ſplendeat unus et alter
> Adſuitur pannus. HOR.

Here let me ſtop! I hope we ſhall no longer hear the abſurd tale of the Scots muſick being invented by an Italian, when we ſee it proved by ſo great an authority as Taſſoni, that the Scots melodies, above two centuries ago, and in his time, had been adopted into the fineſt vocal compoſitions of one of the greateſt maſters and reformers of Italian muſick, the Prince of Venoſa.

To return to the Scots ſongs. It is not to be doubted, that, under ſuch a genius for muſick and poetry as King James I. the national muſick muſt have greatly improved. To his excellent talents, cultivated by education in England and France, during a long reſidence of 19 years, his country, at his return to it, in the year 1424, owes its cultivation and emergence from a ſtate of rudeneſs. By the laws which he enacted, the diſorders of the preceding weak government were checked, politeneſs of manners, together with a taſte for the liberal arts and ſciences, were introduced by him. One great ſtep to the improvement of the ſcience of muſick, was the introduction by that Prince, (according to our hiſtorians), of organs into the cathedrals and abbays of Scotland; and, of courſe, the eſtabliſhment of a choral ſervice of church muſick. As James is

ſaid

ſaid to have been a fine performer on the lute and harp, on which he accompanied his own ſongs, the playing on theſe inſtruments muſt, by the Prince's example, have become faſhionable, and, of courſe, a more refined and regular modulation of compoſition in the Scots ſongs introduced. The ſimple ſcale of the pipe, by the introducing of the ſtringed inſtruments, became, in conſequence, much enlarged, not only by a greater extent of notes, but by the diviſion of them into ſemitones.

The great aera, as well of poetry as of muſick, in Scotland, I imagine, then, to have been from the beginning of the reign of James I. down to the end of that of James V. *. The old cathedrals and abbeys, theſe venerable monuments of Gothick grandeur, with the choriſters belonging to them, according to the ſplendour of their ritual church-ſervice, were ſo many ſchools or ſeminaries for the cultivation of muſick. It muſt be owned, however, that, although the ſcience of harmonick muſick was cultivated by the church-compoſers; yet, as the merit of the church-muſick, at that time, was in its harmony only, the fine flights, and pathetick expreſſion of our ſongs, could borrow nothing from thence.

This was likewiſe the aera of chivalry: The feudal ſyſtem was then in its full vigour. The Scottiſh nobility, poſſeſſed of great eſtates, with hereditary juriſdictions annexed to them, maintained, in their remote caſtles, a ſtate and ſplendour little inferior to the court of their King. Upon ſolemn occaſions, tilts and tournaments were often proclaimed, and held for many days with all the Gothick magnificence of chivalry, which drew numbers of knights and dames to theſe ſolemnities. James IV. and V. were both of them gallant and magnificent Princes: They kept ſplendid courts, and were great promoters of theſe publick entertainments. In the family

* Within this aera flouriſhed Gavin Douglas, Biſhop of Dunkeld, whoſe excellent tranſlation of Virgil's Æneis may compare with Chaucer, his cotemporary, Bellenden archdeacon of Murray, Dunbar, Henryſon, Scot, and many others, whoſe fine poems have been preſerved in Banatyn's excellent MS. collection, of which ſeveral were publiſhed in Allan Ramſay's Ever Green.

family of every chief, or head of a clan, the bard, or poet, was a very conſiderable perſon. His office was, upon ſolemn feaſts, to rehearſe, or ſing, the ſplendid actions of the heroes, anceſtors of the family, which he accompanied with the touch of the harp. At this time, too, there were itinerant, or ſtrolling minſtrels, performers upon the harp, who went about the country, from houſe to houſe, upon ſolemn occaſions, reciting heroick balads, and other popular epiſodes. Theſe wandering harpers are mentioned by John Major: 'In Cithara, Hibernenſes aut ſilveſtres Scoti qui in illa arte praeci-'pui ſunt.' To theſe ſylvan minſtrels, I imagine, we owe many fine old ſongs, which are more regular and varied in their melody as they come nearer to modern times, though ſtill retaining their 'Native wood-notes wild;' ſuch as Buſk ye, buſk ye—Waly, waly,—Willie's fair; and a ſtill more refined modulation may, I think, be traced downwards, through the following ſongs: Leander on the bay,—Balow my boy,—Abſence ne'er ſhall alter me,—Cromlet's lilt,—The flowers of the foreſt,—Gilderoy,—the Gaberlunzie; and many others in the ſame ſtile. Theſe, I imagine, might have been compoſed within the aera of James IV. V. and Queen Mary, and may be reckoned in the ſecond claſs of Scots ſongs, in point of antiquity. In them, beſides a more varied, regular, and refined melody, there is likewiſe an artful degree of modulation uſed in the introduction of the ſeventh of the key; as in Waly, waly,—the Flowers of the foreſt,—the bony Erle of Murray, and many other well known old ſongs. This ſtrain is peculiarly characteriſtick of our old melodies, and has a fine and pathetick effect.

From theſe, by an inſenſible gradation, we are led to what I conjecture may be called the third epoch of our ſongs; that is, from Queen Mary to the reſtoration. Within that ſpace, may be claſſed the following ſongs: Pinky Houſe,—Etrick Banks,—the Broom of Cowden-knows,—Down the burn Davie,—An thou wert mine ain thing,—Auld Rob Morris,—Where Helen lies,—Fy on the Warrs,—Muirland Willie,—Katharine Ogie.

And, in the fourth and laſt claſs, from the reſtoration to the union, may be claſſed, the Buſh aboon Traquair,—the laſt time I came o'er the Muir,—the Boatman,—Sae merry as we ha' been,—My Dearie, an thou die,—She roſe and let me in,—Allan Water,—Love is the cauſe of my mourning,—Mary Scot,—Laſs of Patie's mill,—Yellow-hair'd ladie,—John Hay's bony laſſie,—Tweedſide, &c.

In thus claſſing the ſongs as above, it is obvious, that no fixed or certain rules can be preſcribed. Some of theſe old ſongs, it is true, aſcertain, of themſelves, the preciſe aera to which they belong; ſuch as, the Flowers of the Foreſt, compoſed on the fatal battle of Flowden, where the gallant James IV. and the flower of the Scottiſh nobility and gentry fell; The *Souters* of Selkirk compoſed * on the ſame occaſion; Gilderoy, made on the death of a famous outlaw, hanged by James V.; The bony Erle of Murray, ſlain by Huntlie in 1592. In general, however, in making thoſe arrangements, beſides the characters which I have mentioned, as I know of no other diſtinguiſhing marks for a fixed ſtandard, the beſt rule I could follow was to ſelect a few of the moſt undoubted antient melodies, ſuch as may be ſuppoſed to be the production of the ſimpleſt inſtrument, of the moſt limited ſcale, as the ſhepherd's pipe; and thence to trace them gradually downward, to more varied, artful, and regular modulations, the compoſitions of more poliſhed manners and times, and ſuitable to inſtruments of a more extended ſcale.

After

* This ballad is founded on the following incident: Previous to the battle of Flowden, the town-clerk of Selkirk conducted a band of eighty *ſouters*, or ſhoe-makers, of that town, who joined the royal army; and the town-clerk, in reward of his loyalty, was created a knight-banneret by that Prince. The example given on that fatal day by the Earl of Hume, did not infect his vaſſals, the ſouters of Selkirk. They fought gallantly, and were moſtly cut off. A few who eſcaped, found, on their return, in the foreſt of Lady-wood-edge, the wife of one of their brethren, lying dead, and her child ſucking her breaſt. Thence the town of Selkirk obtained, for their arms, a woman ſitting upon a ſarcophagus, holding a child in her arms; in the back ground, a wood; and on the ſarcophagus, the arms of Scotland.

After all, as fancy has a great ſhare in thoſe *arrangements*, *there is ſtill a wide field* for the exertion of the powers of imagination on a ſubject, where only analogy, probability, and conjecture, can ſupply the defect of more ſolid proof.

I have hinted, that our Scots ſongs owe nothing to the church-muſick of the cathedrals and abbeys before the reformation; for, although muſick made a conſiderable part of the ritual church-ſervice; yet, from ſome of their books, which have eſcaped the rage and havock of the reformers, we find their muſick to have conſiſted of harmonick compoſitions, of four, five, often of ſix, ſeven, and eight parts, all in ſtrict counterpoint. Such were perfectly ſuitable to the ſolemnity of religious worſhip; and, when performed by a full choir of voices, accompanied by the organ, muſt undoubtedly have had a ſolemn and awful effect upon a mind diſpoſed to devotion. Church-muſick has nothing to do with the paſſions. The ſtile of ſuch compoſition is to calm the mind, and inſpire devotion, ſuitable to the Majeſty of that Being to whom it is addreſſed. Nothing, however, can be more oppoſite than ſuch harmonick compoſitions to the genius of love-ſongs, which conſiſt in the ſimple melody of one ſingle part.

It is a common tradition, that, in ridicule of the cathedral-ſervice, ſeveral of their hymns were, by the wits among the reformed, burleſqued, and ſung as profane balads. Of this there is ſome remaining evidence. The well known tunes of John come kiſs me now, and Kind Robin lo'os me, are ſaid to be of that number.

At the eſtabliſhment of the reformation, one of the firſt pious works of the reformed clergy was to tranſlate, into Scots metre, the Pſalms of David, and to introduce them into the kirks, to be ſung to the old church-tunes. John Knox's book of Pſalms, called the common tunes, is ſtill extant, and ſung in the churches, and conſiſts of four parts; a treble, tenor, counter-alt, and baſs. The harmony of theſe tunes is learned and full, and proves them to be the work of very able maſters in the counterpoint.

In order, however, to enlarge the pſalmody, the clergy, ſoon after, were at pains to tranſlate, into Scots metre, ſeveral parts of ſcripture, and ſome old Latin hymns, and other pieces. At the ſame time, as they had no objections to the old muſick, they made an effort to reclaim ſome of thoſe tunes from the profane balads into which they had been burleſqued, and ſung by the vulgar.

A collection of theſe pieces were printed at Edinburgh about the 1590, by Andro Hart, in old Saxon, or black letter, under the title of, A Compendious Book of *Godly and ſpirituall ſongs, collectit out of ſundrie parts of the ſcripture, with ſundrie of other ballats, changed out of prophaine ſanges, for avoiding of ſinne and harlotrie, &c.*

Amongſt theſe balads, John come kiſs me now, makes his appearance, ſtripped, indeed, of his *profane dreſs*, which had promoted *ſinne and harlotrie*; but, in exchange, ſo ſtrangely equipped in his *penitential habit*, as to make a more ludicrous figure than his brother Jack, in the Tale of a Tub. As a curioſity, I ſhall give two or three of the ſtanzas of this new converted Godly balad.

John come kiſs me now,
John come kiſs me now,
John come kiſs me by and by,
And mak na mair adow.

The Lord thy God I am
That (John) does the call
John, repreſents man,
By grace celeſtial.

My

My prophets call, my preachers cry,
John come kiſs me now,
John come kiſs me by and by,
And mak na mair adow *.

If the other tunes preſerved of the old church-muſick, were in the ſame ſtile of John come kiſs me now, our fine old melodies, I think, could borrow nothing from them. I ſhall conclude this eſſay with a few obſervations on the Scots ſongs.

The Scots melodies contain ſtrong expreſſion of the paſſions, particularly of the melancholy kind, in which the air often finely correſponds

* In the year 1765, ſome of the pieces contained in this book were printed in Edinburgh, with the title of, A Specimen of a Book, entitled, A Compendious Book of Godly and Spiritual Songs, &c. But, as the above, and many others in the ſame ſtile, are omitted, I ſhall give a further ſpecimen of this curious book of devotion in the following ſtanzas.

Till our Gude man,
Till our Gude man,
Keep faith and luve
Till our Gude man;

For our Gude man
In heaven does reign,
In glore and bliſs,
Without ending.

Where angels ſing
Ever hoſan,
In laud and praiſe
Of our Gude man, &c.

Who is at my windo, who, who.
Go from my windo, go, go.
Who calls there, ſo like an ſtranger?
Go from my windo, go.

Lord I am heir ane wretched mortal,
That for thy mercy dois cry and call.
Mercy to have thou art not worthie:
Go from my windo, go, &c.

——To laugh were want of Godlineſs and grace,
And to be grave exceeds all power of face. POPE.

What a ſtrange medley of canting abſurdity and nonſenſe! Such ſhocking indecent familiarity, under the name of Devotion! This was the leven, which, fermenting into that wild ſpirit of fanaticiſm, in the following age, involved the nation in blood, and overturned the ſtate of the three kingdoms.

reſponds to the ſubject of the ſong. In this, I conjecture, the excellency of the antient Greek muſick conſiſted, of which we are told ſuch wonderful effects. The Greek muſicians were alſo poets, who accompanied their own verſes on the harp. Such likewiſe was the Saxon Alfred; and in the ſame light we may ſee our James I. who both of them accompanied their own poems on the lute or harp. Terpander is ſaid to have compoſed muſick for the Iliad of Homer. Timotheus played and ſung his own lyrical poems; and the poet Simonides his own elegies.

"Quid moeſtius lacrymis Simonidis!"

Exclaims, with rapture, Catullus; and, inſpired with the genius of muſick, in this fine apoſtrope, cries out our great poet!

And, O ſad Virgin! could thy power,
But raiſe Muſeus from his bower;
Or bid the ſoul of Orpheus ſing,
Such notes as warbled on the ſtring,
Drew iron tears down Pluto's cheek,
And made hell grant, what love did ſeek.

Let us acknowledge the excellency of the Greek muſick; yet, as the principles of harmony, or compoſition in parts, ſeem not to have been known to them, at leaſt as far as has yet been diſcovered, this excellency of their muſick muſt have reſulted from the natural melody of their airs, expreſſive of the words to which they were adapted. In this light, therefore, we may run a parallel between the antient Greek muſick, and our Scots melodies; and, in ſpite of the prejudiced fondneſs which we are apt to conceive in favour of the antients, it is probable, that we do the beſt of their muſick no hurt in claſſing it with our own.

What perſon of taſte can be inſenſible to the fine airs of—I'll never leave thee,—An thou wer't mine ain thing,—The Braes of Ballendine, &c. when ſung with taſte and feeling!

Love,

Love, in its various ſituations of hope, ſucceſs, diſappointment, and deſpair, are finally expreſſed in the natural melody of the Scots ſongs. How naturally does the air correſpond with the following deſcription of the reſtleſs languor of a maid in love:

Ay wa'king oh!
Wa'king ay and wearie;
Sleep I canna get,
For thinking o' my dearie.

When I ſleep, I dream;
When I wake, I'm irie *:
Reſt I canna get,
For thinking o' my dearie.

How ſoothing and plaintive is the old lullaby of a forſaken miſtreſs over her child, expreſſed in Lady Anne Bothwell's lament? How romantick the melody of the old love ballad of Hero and Leander! What a melancholy love-ſtory is told in the old ſong of Jocky and Sandy! and what frantick grief expreſſed in—I wiſh I were where Helen lies!

It were endleſs to run through the many fine airs expreſſive of ſentiment and paſſion, in the number of our Scots ſongs, which, when ſung in the genuine natural manner, muſt affect the heart of every perſon of feeling, whoſe taſte is not vitiated and ſeduced by faſhion and novelty.

As the Scots ſongs are the flights of genius, devoid of art, they bid defiance to artificial graces and affected cadences. A Scots ſong can only be ſung in taſte by a Scots voice. To a ſweet, liquid, flowing voice, capable of ſwelling a note from the ſofteſt to the fulleſt tone, and what the Italians call a *voce di petto*, muſt be joined ſenſibility and feeling, and a perfect underſtanding of the ſubject, and words of the ſong; ſo as to know the ſignificant word on which to ſwell or ſoften the tone, and lay the force of the note. From this want of knowledge of the language, it generally happens, that to moſt of the foreign maſters, our melodies, at firſt, muſt ſeem wild and uncouth; for which reaſon, in their performance, they generally

* *Irie* is a Scots word that has no correſpondent term in Engliſh. It implies that ſort of fear which is conceived by a perſon apprehenſive of apparitions.

ly fall ſhort of our expectation. We ſometimes, however, find a foreign maſter, who, with a genius for the pathetick, and a knowledge of the ſubject and words, has afforded very high pleaſure in a Scots ſong. Who could hear with inſenſibility, or without being moved in the greateſt degree, Tenducci ſing,—I'll never leave thee,—or the Braes of Ballendine!

It is a common defect, in ſome who pretend to ſing, to affect to ſmother the words, by not articulating them, ſo as we ſcarce can find out either the ſubject, or language of their ſong. This is always a ſign of want of feeling, and a mark of a bad ſinger; particularly of Scots ſongs, where there is generally ſo intimate a correſpondence between the air and ſubject. Indeed, there can be no good vocal muſick without it.

The proper accompaniment of a Scots ſong, is a plain, thin, dropping baſs, on the harpſichord or guittar. The fine breathings, theſe heart-felt touches, which genius alone can expreſs in our ſongs, are loſt in a noiſy accompaniment of inſtruments. The full chords of a thorough baſs ſhould be uſed ſparingly, and with judgement, not to overpower, but to ſupport and raiſe the voice at proper pauſes.

Where, with a fine voice, is joined ſome ſkill and execution on either of thoſe inſtruments, the air, by way of ſymphony, or introduction to the ſong, ſhould always be firſt played over; and, at the cloſe of every ſtanza, the laſt part of the air ſhould be repeated, as a relief for the voice, which it gracefully ſets off. In this ſymphonic part, the performer may ſhew his taſte and fancy on the inſtrument, by varying it *ad libitum*.

A Scots ſong admits of no cadence; I mean by this, no fanciful or capricious deſcant upon the cloſe of the tune. There is one embelliſhment, however, which a fine ſinger may eaſily acquire; that is, an eaſy ſhake. This, while the organs are flexible in a young voice, may, with practice, be eaſily attained.

A Scots ſong thus performed, is among the higheſt entertainments to a muſical genius. But is this genius to be acquired either

in

in the performer or hearer? It cannot. Genius in muſick, as in poetry, is the gift of heaven. It is born with us; it is not to be learned.

An artiſt on the violin may diſplay the magick of his fingers, in running from the top to the bottom of the finger-board, in various intricate *capricio's*, which, at the moſt, will only excite ſurpriſe; while a very meddling performer, of taſte and feeling, in a ſubject that admits of the pathos, will touch the heart in its fineſt ſenſations. The fineſt of the Italian compoſers, and many of their ſingers, poſſeſs this to an amazing degree. The opera airs of theſe great maſters, *Pergoleſe*, *Jomelli*, *Galuppi*, *Perez*, and many others of the preſent age, are aſtoniſhingly pathetick and moving. Genius, however, and feeling, are not confined to country or climate. A maid, at her ſpinning-wheel, who knew not a note in muſick, with a ſweet voice, and the force of a native genius, has oft drawn tears from my eyes. That gift of heaven, in ſhort, is not to be defined; it can only be felt.

I cannot better conclude this eſſay, than in the words of one who poſſeſſed it in the moſt exalted degree. Addreſſing himſelf to a young compoſer, he ſpeaks thus: "Seek not to know what is *genius*. If thou haſt it, thy feelings will tell thee what it is. If thou haſt it not, thou never wilt know it. The genius of the muſician ſubjects the univerſe to its power. It draws its pictures by ſounds. It expreſſes ideas by feelings, and feelings by accents. We feel in our hearts the force of the paſſions which it excites. Through the medium of genius, pleaſure aſſumes additional charms, and the grief which it excites breaks forth into cries. But, alas! to thoſe who feel not in themſelves the ſpring of genius, its expreſſions convey no idea. Its prodigies are unknown to thoſe who cannot imitate them. Wouldſt thou know if thou art animated with one ſpark of that bright fire? run, fly to Naples, and there liſten to the maſter-pieces of *Leo*, *Durante*, *Jomelli*, *Pergoleſe*. If thine eyes are filled with tears, thy

heart palpitates, thy whole frame is agitated, and the oppreſſion of tranſport ariſes almoſt to ſuffocation; take up *Metaſtaſio*, his genius will inflame thine own, and thou wilt compoſe after his example. Theſe are the operations of genius, and the tears of others will recompenſe thee for thoſe which thy maſters have caused thee to ſhed.

"But, if thou art calm and tranquil, amidſt the tranſports of that great art; if thou feeleſt no dilirium, no extaſy; if thou art only moved with pleaſure, at what ſhould tranſport thee with rapture, doſt thou dare to aſk what genius is? Profane not, vulgar man, that name ſublime! What does it import thee to know what thou canſt never feel *?"

No.

* Rouſſeau, ſous le mot genie.

No. IX.

Parliamentum tentum 18. Martii 1481.

22 Martii quinto die parliamenti, Domino Rege ſedente in trono juſticiae.

ASSISA.

Comes ATHOLIAE
Comes de MORTON.
Dominus GLAMMIS
Dominus ERSKINE
Dominus OLIPHANT
Dominus CATHKERT
Dominus GRAY
Dominus BORTHWICK
Dominus de STOBHALL
Dominus de DRUMLANRIG
Dominus MAXWELL
WILLIELMUS BORTHWICK Miles
ALEXANDER Magiſter de Crawfurd
SILVESTER RATRAY de Eodem
ROBERTUS ABERCROMMY de Eodem, Miles
DAVID MOUBRAY de Bernbougale, Miles.

*Accuſatio ſuper * Roberto Domino Lile per rotulos, ut ſequitur:*

ROBERT Lord LILE, yhe are dilatit to the King's heines that yhe have ſent lettres in Ingland to the tratour James of Dowglace, and to uthir Ingliſmen in treſſonable maner; and alſo reſavit lettres fra y^e^ ſaid tratour, and fra uthir Ingliſmen in treſſonable maner, and in furthering of ye Kings enemys of Ingland, and prejudice and ſkaith to our ſoverane Lord ye King, his realme and liegis.

Quae aſſiſa ſupraſcripta in praeſentia ſupremi Domini noſtri Regis jurata, et de ipſius mandato ſuper dictam accuſationem cognoſcere per eundem ſupremum Dominum noſtrum Regem mandata, remota et reintrata, deliberatum eſt per os Joannis Drummond de Stobhall, nomine et ex parte dictae aſſiſae et prolocutorio nomine ejuſdem,

* Laſt tracts, p. 441.

Dictum Robertum Dominum Lile quietum fore et immunem et innocentem accuſationis et calumpniationis ſupraſcript. Super quibus dictus Robertus Dominus Lile petiit notam curiae parliamenti et teſtimonium ſub magno ſigillo ejuſdem Domini noſtri Regis ſibi dari ſuper praemiſſis, quodquidem teſtimonium idem Dominus Rex ſibi conceſſit, darique mandavit eidem in forma ſupraſcripta et conſueta."

That the Lords, choſen for diſcuſſing of domes, acted as a jury, or as aſſeſſors to the King, and not as judges, is made full clearer from the following trial preſerved alſo in the advocates library.

Parliamentum tentum 1. Julii 1476.

" Septimo die menſis Octobris anno ſupraſcript. datum fuit judicium infraſcript. per os Alexandri Dempſtar judiciarii parliamenti in praeſentia ſereniſſimi principis et S. D. N. Regis ſupraſcripti, cum corona * in capite ſuo, et ſceptro in manu, ſedente in cathedra juſticiae parliamenti ſub hac forma.

The Lordis choſin be the thrie eſtates in yhis preſent parliament, upoun the diſcuſſing of the domes, decerne and declares, that the dome given in ye juſtice aire of Edinburgh, the xii day of July laſt by paſt, by the mouth of Andro Blacfurd, ſoytour for ye land of Lochmivore for John of Douglas, and Johet of Rynd, his ſpous, and agane callit be David Balfour of Carradſtoun, forſpekar for Archibald of Dundas of that ilk, knight, was evil gevin and weill agane ſtud, for divers reaſonnis underſtandin and ſhawn to the ſaidis Lordis. And thairfoir, ilk ſoytour of the ſaid dome, and thair Lords, ilk man be himſelf, is in ane amerciament of ye court of parliament, ſic as effeirs to be taken in ye ſaid juſtice air, and in ane unlaw of the parliament, amangis them, all ſic effeirs of law. AND THIS I GIVE FOR DOME."

No. X.

* Minutes of parliament, council and exchequer, collected by E. Hadington, MS. advocates library.

No. X.

The order obſerved at the coronation of Sir Alexander Areſkine of Cambo, Baronet, Lord Lyon King of Arms, at the Royal Palace of Holyrood-houſe, on the 27th day of July 1681. *His Royal Highneſs James Duke of Albany and York being his Majeſty's High Commiſſioner.*

I. THE chair of ſtate being placed upon a throne of two ſteps in height, under the royal canopy, in the chamber of preſence, and the imperial crown, ſcepter, and ſword of ſtate, being placed on a table before the throne, the ſaid table covered with purple velvet fringed with gold, his Majeſty's High Commiſſioner was conveyed by the officers of ſtate, and the nobility, to the throne, when he ſat down in the chair of ſtate, the nobility ſtanding on each ſide.

II. Then Sir Alexander Areſkine was introduced in this manner:

1. The King's ſix trumpets in their coats, two and two, ſounding.

2. The ſix purſuivants at arms in their coats, two and two.

3. The ſix heralds in their robes, two and two, the laſt five bearing the Lord Lyon's regalia thus: The eldeſt his crown; the ſecond his robe; the third his ſurcoat; the fourth his collar of gold and medal pendant, the ſaid collar being compoſed of three rows, and the fifth his batoon.

III. Mr Robert Innes, Lyon-depute, bearing his patent under the great ſeal.

IV. The maſter of the ceremonies.

V. The Lord Lyon, ſupported by two baronets, *to wit*, Sir William Sharp of Scotſcraig, and Sir John Maitland, and attended with the ſix macers on either ſide, with their ſilver maces.

VI. Then having three ſeveral times done their homage to his Majeſty's High Commiſſioner, viz. at the door, in the middle of the chamber,

chamber, and before the throne, thoſe who carried the patent and regalia drew near to the chair of ſtate; the reſt of the heralds and purſuivants retired to the windows, and the trumpets to a place allotted for them.

VII. The maſter of the ceremonies brought the Lord Lyon to his Majeſty's High Commiſſioner, and he kneeled down before him on a velvet cuſhion, and was dubbed knight with the ſword of ſtate.

VIII. The maſter of the ceremonies called for the patent under the great ſeal, and gave it to one of the clerks of the privy council, who read it aloud. He then delivered it to his Royal Highneſs, and from him to the Lord Lyon, ſhewing him the King's pleaſure, his duty, and the importance of the honour conferred upon him by ſo gracious a maſter.

IX. His Royal Highneſs cauſed the Lord Lyon to ſwear the oath of allegiance, and take the declaration, the ſame being read by one of the clerks of the privy council.

X. The maſter of the ceremonies took the ſurcoat of arms, and gave it to his Royal Highneſs, who, with his aſſiſtance, put it on the Lord Lyon, his Highneſs ſaying, *I do veſt you with this coat and robe of your office during all the days of your lifetime, which you ſhall wear on all honourable occaſions, keeping the ſame free from all ſpot of treaſon, villany, and diſgrace.*

XI. The maſter of the ceremonies took the crown, and delivered the ſame to his Royal Highneſs, who put it on the Lord Lyon's head, ſaying, *In the name of his moſt ſacred Majeſty the King, I crown you, Sir* Alexander Areſkine *of* Cambo, *Bart. Lyon King of Arms throughout all the kingdom of* Scotland, *and the iſles, colonies, and dependencies thereunto belonging, with all the powers, privileges, liberties, honours, and dignities belonging to that office.*

XII. The maſter of the ceremonies gave the batoon to his Royal Highneſs, who, delivering it to the Lord Lyon, ſaid, *I deliver to you this batoon of your office, in token of that command and regal authority*

which

which his Majeſty gives you over all who bear his Majeſty's arms under you in this kingdom of Scotland.

XIII. The maſter of the ceremonies gave the collar to his Royal Highneſs, who put it about the Lord Lyon's neck, ſaying, *This royal token, and badge of your maſter's favour, I give you, to be worn by you all the days of your life, in token of your precedency before all others of under degree and quality, in conſequence of your good and faithful ſervices done, and to be done.*

XIV. Then his Royal Highneſs bleſſed the Lord Lyon, and took his oath in the terms following.

THE OATH.

'I ſhall defend the Catholick faith to the uttermoſt of my power.
'I ſhall be leall and true, ſecret and ſerviceable, to our Sovereign
'Lord the King, and to all eſtates, *that is to ſay*, to Emperors,
'Kings, Princes, Archdukes, Dukes, Marquiſſes, Earls, Viſcounts,
'Lords, or Barons, Knights, Eſquires, Gentlemen, Ladies, widows,
'and maidens of good fame, and ſhall forward their lawful buſineſs
'upon their expence; and, what ambaſſage or meſſage I take in
'hand to do, I ſhall do the ſame truly, without adding or taking
'from. I ſhall forbear all open vices, common bordells, common
'hazard, and common drinking in taverns.

'I ſhall fortify and defend the privileges of the noble office of
'arms with all my power, and ſhall never reveal any man's ſecrets,
'treaſon excepted.

'I ſhall obſerve and keep all the forenamed points. So help me,
'God; and by my part of Paradiſe.'

XV. Then one of the heralds, with ſound of trumpet, proclaimed out of one of the windows, Sir Alexander Areſkine of Cambo, Bart. Lyon King of Arms, throughout all the kingdom of Scotland, and the iſles and dependencies thereunto belonging, with all the honours and privileges that to this office appertain.

XVI.

XVI. His Royal Highneſs, taking the Lord Lyon by both hands, raiſed him, who, taking off his crown, gave his Highneſs his humble thanks, and then cried aloud, 'A largeſs of the Moſt High and 'Mighty Monarch, Charles, by the Grace of God, King of Great 'Britain, England, France, and Ireland, defender of the faith, &c.

XVII. Then by ſound of trumpets, all the heralds and purſuivants proclaimed the ſame words out of the windows.

XVIII. The Lord Lyon in his robes, collar, and crown, with the batoon of command in his hand, was attended back to the chamber from whence he came, in the ſame order as before, the heralds and purſuivants proclaiming round the court in their return, 'A Largeſs, '*ut ſupra* *.'

No. XI.

* The ceremony of the Lord Lyon's coronation did formerly begin with a ſermon preached in the chapel-royal, by the Dean, before the King or his commiſſioner, and the nobility; the ceremony being accompanied with vocal and inſtrumental muſick.

No. XI.

Order of the Proceſſion at the Funeral of the Right Honourable Alexander Kincaid, Eſq; Lord Provoſt of the City of Edinburgh.

SIX Batoon men to clear the way, two and two.
Four Mutes, two and two
Six Uſhers bare-headed, two and two.
Citizens, four and four.
Gentry, four and four.
Nobility, four and four.
The Conſtables, three and three, their ſhort batoons in their right-hands.
The Moderator Conſtable in their rear.
The Enſigns, Lieutenants, and Captains of the Train Bands, three and three, with mourning Swords and Cockades. The Commandants in the rear of their reſpective Corps.
The Society of Barbers, four and four. The preſes in their rear.
The Fourteen incorporations, according to their Precedency, four and four. The Deacons behind their reſpective Corporations. The Officers before.
The Deacon Convener.
The Company of Merchants, four and four. The Twelve Aſſiſtants, two and two, in their rear. The Maſter behind them.
The Profeſſors of the Univerſity, in their gowns, two and two, preceded by the Univerſity-mace. The Principal in their rear.
The Eſtabliſhed Clergy of the City, in their Gowns and Bands, two and two. The Senior Clergyman in their rear.
Two Maces.
Purſuivants, two and two.
The Trades-Counſellors, and the Merchant-Counſellors, in their Gowns.
The old Magiſtrates, and the preſent Magiſtrates, in their robes.

The City-ſword of State, covered with Crape, the Point towards the Ground; on the right, the City-mace; on the left, another Mace; each Mace carried nearly level, in the right-hands of the Macers.

Heralds, two and two.

A perſon in deep Mourning, bare-headed, bearing the Rod of Office levelled before him.

The Lord Provoſt's Robe, covered with Crape, carried by the City's Wardrobe-keeper; on each ſide of which, and of the Sword and Maces, four Batoon-men.

The city-officers, their Halberts reverſed.

Earl of Hume.
Thomas Hay, Eſq;
Walter Campbell, Eſq;
Robert Ker, Eſq;
Marquis of Lothian.

The COFFIN. Above the pall the chain and medal. The pall borne by

Duke of Buccleugh.
Lord Hailes.
Geo. Ferguſſon, Eſq;
Mr John Bell.
Rev. Robert Bell.

The city-officers, their Halberts reverſed.

Chief Mourner,

Nath. Spens, M. D. Alexander Kincaid, Eſq; James Stodart, Eſq;

the deceaſed's only ſon;

Relations and Friends of the Deceaſed.

His Lordſhip's Servants.

The City-guard, in funeral order. The Officers Scarfs covered * with crape; the Drums, with black cloth, beating the dead march.

No.

* For what reaſon the city's aſſeſſors, and the rector and maſters of the high-ſcool, were omitted in this proceſſion, we know not. We have only to obſerve, upon the whole ceremony, that the object which ſhould have made the moſt ſtriking appearance, ſeemed the moſt mean and inſignificant. After the pomp which had preceded, nothing could appear more futile and miſerable, than the body borne upon mens ſhoulders, and ſimply covered with a pall of black velvet. It ought to have been borne under a canopy, adorned with plumes, and eſcutcheons of the city's arms, impalled with thoſe of the deceaſed.

No. XII.

(First, at the foot of a page, fifteen persons names are mentioned, as being concerned with some transaction; then, upon turning the page, the Record proceeds as follows.)

Ane quit for slauchter in his awin defence maid 1514.

THE 24th day of October, anno suprascript. Alexander Levingstoune indytit and accuset for the art and pairt of the crewall slauchter of umquhile Jak, upoun the Burrow-muir of Edinburgh, in this last month of September bypast. The quhilk accusation was put to the knawledge of *ane assyse above-writtten.* Thai beand removit furth of court, and agane in enterit, they fand and deleverit the said Alexander quit and innocent of ye said slauchter; becausé thai cleirlie knew it was in his pure defence. John Levingstoune petiit instrumenta. Testibus Patricio Barroun et Johanne Irland Ballivis, Magistro Jacobo Wischeart de Pitgarro clerico Justiciario S. D. N. Regis, Waltero Chepman * Decano Gild, Johanne Adamson juniore, Jacobo Barroun, Patricio Flemyng et multis aliis; Council register, v. 1. p. 6.

This is the earliest trial to be found in the records of the city of Edinburgh. A question arises from it, In what character were these persons who are mentioned as *testibus?* If witnesses to the fact, or alledged murder, it was strange, that the prisoner should have been obliged to kill a man in self-defence, upon a heath, in presence of such a number of people of some distinction. If witnesses to the instrument of acquittal, it was strange, that so many witnesses to what was done in the court, should be recorded; yet not the names of the judges nor witnesses to the alledged murder. If judges, (and several of them were city-judges, and one of them a judge of Justiciary), Why were they called *testibus*, instead of *judicibus?* Why were they such a motley set, and so many of them?

* This Chepman was the first who made a book be printed in Scotland.

No. XIII.

The following Letters, which appeared at Edinburgh in December 1783, illuſtrate many peculiarities of the manners of that metropolis, and, as ſuch, are judged proper to have a place in this Appendix. A few alterations have been made ſince their firſt publication.

LETTER I.

Eheu! fugaces labuntur anni! HOR.
Tempora mutantur, et nos mutamur.

I HAVE often thought, that it might not only be entertaining, but uſeful, to remark, from time to time, the viciſſitudes of manners in ſociety; and, by comparing the preſent with the paſt, to examine, whether, as a people, or as individuals, we were improving or declining. It is frequently difficult to aſſign a reaſon for the revolutions which take place in the manners of a country, or to trace the cauſes that have occaſioned a change; but, in all caſes, the firſt ſtep towards inveſtigating the cauſe, is to ſtate the facts. A plan of this kind, frequently repeated; might be of great utility, by leading to cultivation and improvement in ſome things, and to correction or prohibition in others; while it would, at the ſame time, afford a valuable fund of facts for the philoſopher, the hiſtorian, or the annaliſt.

Every perſon who remembers but a few years back, muſt be ſenſible of a very ſtriking difference in the external appearance of Edinburgh, and alſo in the mode of living, and manners of the people.

Let us ſtate a compariſon, for inſtance, no further back than between the year 1763 and the year 1783; and many features of the the preſent time will probably appear prominent and ſtriking, which,

in

in the gradual progreſs of ſociety, have paſſed altogether unnoticed, or have been but faintly perceived. So remarkable a change is not perhaps to be equalled in ſo ſhort a period in any city of Europe; nor in the ſame city for two centuries, taking all the alterations together.

In 1763—Edinburgh was almoſt confined within the city-walls. Nicolſon's Street and Square, Chapel-ſtreet, the greateſt part of Briſtow-ſtreet, Crichton-ſtreet, George's Square, Teviot-row, Buccleugh-ſtreet, St Patrick's Square, &c. &c. to the ſouth, were fields and orchards. To the north, there was no bridge; and (till of late) the New Town, with all its elegant and magnificent buildings, ſquares, rows, courts, &c. did not exiſt. It may with truth be ſaid, that there is not now in Europe a more beautiful terraſs than Prince's Street; nor a grander or more elegant ſtreet than George-ſtreet.

It is moderate to ſay, that two millions Sterling have been expended on building in and about Edinburgh ſince 1763. The environs of Edinburgh cannot be ſurpaſſed in views of the ſublime, picturesque, and beautiful.

In 1763—People of quality and faſhion lived in houſes, which, in 1783, are inhabited by tradeſmen, and people in humble and ordinary life. The *Lord Juſtice-Clerk Tinwald's* houſe was lately poſſeſſed by a *French Teacher*—*Lord Preſident Craigie's* houſe is at preſent poſſeſſed by a *Rouping-wife* or *Sales-woman of old furniture*—and *Lord Drummore's* houſe was lately left by a *Chairman* for want of accommodation *.

In 1786—A Bridge to the ſouth, over the Cowgate, is built, and the areas for ſhops and houſes on the eaſt and the weſt ſide of it, ſold higher than perhaps ever was known in any city, even than in Rome, in the moſt flouriſhing times of the republic or the empire, viz.

* The houſe of the Duke of Douglas at the Union, is now poſſeſſed by a wheel-wright. Oliver Cromwell once lived in the preſent gloomy Sheriff-Clerk's Chamber. The great Marquis of Argyle's houſe, in the Caſtlehill, is poſſeſſed by a hoſier, at 12 l. *per annum*.

viz. at the rate of no leſs than L. 96,000 *per* acre! and ſome even at the rate of L. 109,000 *per* acre!

The foundation-ſtone of the new South Bridge was laid on the 1ſt of Auguſt 1785. The Bridge, conſiſting of 22 arches, was built—the houſes on both ſides were finiſhed—the ſhops occupied—and the ſtreet opened for carriages in March 1788.

In 1783—A communication near the Caſtle, between the Old and the New City, was begun by means of an immenſe mound of earth, above 800 feet in length, acroſs a deep moraſs, and made paſſable for carriages in three years, during which time the mound ſunk at different periods in the middle above 25 feet. 1500 cart-loads of earth, upon an average, were daily laid on this mound.

In 1786—The valued rents of houſes in Edinburgh, which pay ceſs or land-tax, are more than double what they were in 1763 *, and are daily increaſing.

In 1763—The revenue of the Poſt-Office of Edinburgh was reckoned about L. 11,000 *per annum*.

In 1783—The ſame revenue was L. 40,000.

In 1763—There were two ſtage-coaches, with three horſes, a coachman, and poſtilion, each, which went to Leith every hour from eight in the morning till eight at night, and conſumed the hour upon the ſtage: There were no other ſtage-coaches in Scotland, except one, which ſet out once a month for London, and it was ſixteen or eighteen days upon the journey.

In 1783—There were four or five ſtage-coaches to Leith every half hour, which run it in 15 or 20 minutes: DUNN, who now has the

* In 1635—The rents within the city were . . L. 19,211 10 0
In 1688, ... 24,333 6 8
In 1751, ... 31,497 0 0
In 1783 . . . . . 54,371 0 0
In 1786—The valued rents are above 66,000 0 0

N. B.—One-fifth is deducted from the real rent in ſtating the ceſs—Leith is not included in the above, though now one city with Edinburgh; nor any of the ſtreets and ſquares to the ſouth. The valuation is confined to the royalty only.

the magnificent hotels in the New Town, was the firſt perſon who attempted a ſtage-coach to Dalkeith, a village ſix miles diſtant: There are now ſtage-coaches, flies, and diligences, to every conſiderable town in Scotland, and to many of them two, three, or four: To London, there are no leſs than ſixty ſtage-coaches monthly, or fifteen every week, and they reach the capital in four days: And, in 1786, two of theſe ſtage-coaches reach London in *ſixty hours*, by the ſame road that required *ſixteen* or *eighteen days* for the eſtabliſhed ſtage-coach in 1763.

In 1763—The hackney-coaches in Edinburgh were few in number, and perhaps the worſt of the kind in Britain.

In 1783—The number of hackney-coaches was more than tripled, and they are the handſomeſt carriages, and have the beſt horſes for the purpoſe, without exception, in Europe.

In 1783—Triple the number of merchants, phyſicians, ſurgeons, &c. keep their own carriages, that ever did in any former period.

In 1783—Several Preſbyterian miniſters in Edinburgh, and Profeſſors in the Univerſity, kept their own carriages; a circumſtance which, in a circumſcribed walk of life as to fortune, does honour to the literary abilities of many of them, and is perhaps unequalled in any former period of the hiſtory of the Church of Scotland, or of the Univerſity.

In 1763—Literary property, or authors acquiring money by their writings, was hardly known in Scotland: David Hume and Dr Robertſon had indeed, a very few years before, ſold ſome of their works; the one, a part of the Hiſtory of Britain, for L. 200; the other, the Hiſtory of Scotland, for L. 600—two vols. in quarto each.

In 1783—The value of literary property was carried higher by the Scots than ever was known among any people. David Hume received L. 5000 for the remainder of his Hiſtory of Britain; and Dr Robertſon, for his ſecond work, received L. 4500. In ſermon-writing, the Scots have alſo excelled; and although, in 1763, they were reckoned remarkably deficient in this ſpecies of compoſition,

yet,

yet, in 1783, a miniſter of Edinburgh wrote the moſt admired ſermons that ever were publiſhed, and obtained the *higheſt* price that ever was given for a work of the kind.

N. B. The merit of theſe ſermons obtained for Dr Blair a penſion of L. 200 *per annum*.

Previous to the 1763, the Scots had made no very diſtinguiſhed figure in literature as writers, particularly in the department of Hiſtory and Belles Lettres. Lord Kames had, the year before, publiſhed his Elements of Criticiſm. Hume and Robertſon had made their firſt eſſays in the walk of Hiſtory, a ſhort time before, as mentioned above.

In 1783—The Scots have diſtinguiſhed themſelves in a remarkable manner in many departments of literature; and, within this ſhort period of twenty years, the names of Hume, Robertſon, Orme, Henry, Tytler, Watſon, Kames, Reid, Beattie, Oſwald, Ferguſon, Smith, Monboddo, Gregories (father and ſon), Cullen, Homes (poet and phyſician), Monro, Hunter, Stewart, Blair, Mackenzie, Campbell, Gerard, Millar, Macpherſon, Brydone, Moore, Stuart, Arnot, Mickle, Gillies, and many other eminent writers, too long to enumerate, have appeared.

In 1786—Edinburgh has produced two periodical papers, the Mirror, and the Lounger, which have been more admired, than perhaps any of the kind ſince the Spectator.

Previous to 1763—The Scots had not diſtinguiſhed themſelves remarkably as public ſpeakers in the Houſe of Commons.

In 1783—The Scots have had more than their proportion of diſtinguiſhed ſpeakers in the Houſe of Commons. Wedderburn (Lord Loughborough), Sir Gilbert Elliot, Johnſtons, Sir A. Ferguſſon, Erſkines, Dempſter, Adam, Maitland, Dundas, &c. &c.

In 1763—There were 396 four-wheeled carriages entered to pay duty, and 462 two-wheeled.

In 1783—There were 1268 four-wheeled carriages entered to pay duty, and 338 two-wheeled.

In

In 1763—Few coaches or chaiſes were made in Edinburgh: The nobility and gentry, in general, brought their carriages from London; and Paris was reckoned the place in Europe where the moſt elegant carriages were made.

In 1783—Coaches and chaiſes are conſtructed as elegantly in Edinburgh as any where in Europe: Many are yearly exported to Peterſburgh, and the cities on the Baltic; and there was lately an order from Paris to one coachmaker in Edinburgh, for one thouſand crane-necked carriages, to be executed in three years.

In 1763—There was no ſuch profeſſion known as an Haberdaſher.

In 1783—The profeſſion of an Haberdaſher (which ſignifies a Jack of all trades, including the *Mercer*, the *Milliner*, the *Linen-draper*, the *Hatter*, the *Hoſier*, the *Glover*, and many others), is nearly the moſt frequent in town.

In 1763—There was no ſuch profeſſion known as a Perfumer: Barbers and Wigmakers were numerous, and were in the order of decent burgeſſes: Hairdreſſers were few, and hardly permitted to dreſs on Sundays; and many of them voluntarily declined it.

In 1783—Perfumers have ſplendid ſhops in every principal ſtreet: Some of them advertiſe the keeping of bears, to kill occaſionally, for greaſing ladies and gentlemens hair, as ſuperior to any other animal fat. Hairdreſſers are more than tripled in number, and their buſieſt day is Sunday; and there is a Profeſſor who advertiſes a Hair-dreſſing Academy, and lectures on that *noble and uſeful art*.

In 1763—There was no ſuch thing known, or uſed, as an umbrella; but an eminent ſurgeon, who had occaſion to walk about much in the courſe of buſineſs, made uſe of one about the year 1780; and in 1783, umbrellas are almoſt as frequent as ſhoes and ſtockings, and many umbrella warehouſes are opened.

In 1763—There were no oyſter-cellars, or, if one, it was for the reception of the loweſt rank.

In 1783—Oyſter cellars * are numerous, and are become places of

* Or taverns taking that name.

of faſhionable reſort, and the frequent *rendezvous* of dancing parties, or private aſſemblies.

In 1783—There are alſo dancing ſchools for ſervants and tradeſmens apprentices.

In 1763—A ſtranger coming to Edinburgh was obliged to put up at a dirty uncomfortable inn, or to remove to private lodgings. There was no ſuch place as an Hotel; the word indeed was not known, or only intelligible to French ſcholars.

In 1783—A ſtranger may be accommodated, not only comfortably, but moſt elegantly, at many public Hotels; and the perſon who, in 1763, was obliged to put up with accommodation little better than that of a waggoner or carrier, may now be lodged like a prince, and command every luxury of life. His guinea, it muſt be owned, will not go quite ſo far as it did in 1763.

In 1763—The number of Boys at the High School were not 200.

In 1783—The number of Boys at the High School were about 500; the moſt numerous ſchool in Britain.

The half of an Edinburgh Newſpaper, which ſold in the year 1740 for L. 36, and could have been purchaſed in 1763 for L. 100—ſold in 1783 for L. 1300.

In 1763—The Society of Cadies † was numerous; they were uſeful and intelligent ſervants of the public; and they would have run an errand to any part of the city for a penny.

In 1783—The Cadies are few, and theſe generally pimps, or occaſional waiters at taverns. They have the impudence to expect ſixpence where they formerly got a penny; and the only knowledge there is of their being an incorporated ſociety, is by ſome of the principal ones tormenting ſtrangers and citizens the whole year through with a box, begging for their poor.

In

† Men who bear a ticket or badge, who run meſſages, ſell pamphlets, and attend ſtrangers by the day or hour, as ſervants. They are incorporated under regulations of the magiſtrates.

In 1763—The wages to maid-ſervants were, generally, from L. 3, to L. 4:4:0 a-year. They dreſſed decently, in blue or red cloaks or *plaids*, ſuitable to their ſtation.

In 1783—The wages are nearly the ſame; but the dreſs and appearance are greatly altered, the maid-ſervants being almoſt as fine in their dreſs as their miſtreſſes were in 1763: They have now ſilk cloaks and caps, ribbons, ruffles, flounced petticoats, falſe hair, cork-rumps, &c. Their *whole year's wages* are inſufficient for rigging out moſt of them for one Sunday or holiday. The manners and converſation of moſt of them are by no means ſuited to the improvement of the children of the families whom they ſerve.

In 1783—The Society of Antiquaries was conſtituted by Royal charter.

In 1783—The Royal Society of Edinburgh was conſtituted by Royal charter, and publiſhed the firſt volume of their Tranſactions in March 1788.

In 1763—There was no ſuch thing known as bathing-machines at Leith.

In 1783—There are a great number of machines for the accommodation of ſea-bathing.

In 1763—The ſhore-dues at Leith (a ſmall tax paid to the city of Edinburgh on landing goods at the quays) amounted to L. 580.

In 1783—The ſhore-dues at Leith amounted to L. 4000.

N. B. There was a great importation of grain to the port of Leith in 1783, not leſs than L. 800,000 Sterling having gone out of Scotland for this year's deficiency of grain. But the ſhore-dues are often above L. 3500 *per annum*, independent of any extraordinary importation.

In 1763, and for ſome years after—There was one ſhip which made an annual voyage to Peterſburgh; and never brought tallow, if any other freight offered. Three tons of tallow were imported into Leith in 1763, which came from Newcaſtle.

In 1783—The ſhips from Leith and the Frith of Forth to the Baltic amount to hundreds. They make two voyages in the year, and ſome of them three. In 1786, above 2500 tons of tallow were imported directly from the Baltic into Leith.

In 1763—Every ſhip from London to Leith brought part of her cargo in ſoap.

In 1783—Every ſhip that goes from Leith to London carries away part of her cargo in ſoap.

In 1763—There was one glaſs-houſe at Leith for green bottles.

In 1783—There are three glaſs-houſes; and as fine chryſtal and window glaſs are made at Leith as any where in Europe.

In 1783—The increaſe of tonnage in ſhipping belonging to the port of Leith ſince 1763, is 42,234 tons; and, ſince that period, has ſo greatly increaſed, that magnificent plans are publiſhed for enlarging the preſent harbour, which is found much too ſmall for the number of ſhips *.

1786—A Chamber of Commerce was conſtituted by Royal charter at Edinburgh, for protecting and encouraging the commercial and manufacturing intereſts of the country.

In 1763—The revenue ariſing from the diſtillery in Scotland amounted to L. 4739 : 18 : 10.

In 1785—The revenue ariſing from the diſtillery amounted to L. 93,701 : 12 : 1¼.

N. B. The pariſh of Fairntoſh paid no duty in either years; having a grant from the crown to diſtil free of exciſe duty; and this pariſh diſtilled more ſpirits than all Scotland.

In 1763—The ſtarch manufacture was hardly known.

In 1783—There are many ſtarch manufactories; and one ſtarch manufacturer pays at the rate of L. 700 every collection, (or ſix weeks), of duty to government.

In 1763—Edinburgh was chiefly ſupplied with vegetables and garden-ſtuffs from Muſſelburgh and the neighbourhood, which were cried

* Of all the Plans publiſhed, that by Charles-Henry Kerr is the moſt magnificent.

cried through the ſtreets by women with *creels* or baſkets on their backs: Any ſudden increaſe of people would have raiſed all the markets: A ſmall camp at Muſſelburgh a few years before had this effect.

In 1783—The markets of Edinburgh are as amply ſupplied with vegetables, and every neceſſary of life, as any in Europe. In 1781, Admiral Parker's fleet, and a Jamaica fleet, conſiſting together of 15 ſail of the line, many frigates, and about 600 merchantmen, lay near two months in Leith Roads, were fully ſupplied with every kind of proviſions, and the markets were not raiſed one farthing, although there could not be leſs than an addition of 20,000 men, for many weeks.

The crews of the Jamaica fleet, who were dreadfully afflicted with ſcurvy, were ſoon reſtored to health by the plentiful ſupplies of ſtrawberries, and freſh vegetables and proviſions, which they received; The merchants of London, who, either from humanity, or eſteeming it a profitable adventure, ſent four tranſports with freſh proviſions to the fleet, had them returned without breaking bulk: It is believed that a ſimilar inſtance to the above would not have happened at any port in Britain.

I ſhall extend this compariſon in a future letter.

I am, &c.

THEOPHRASTUS.

LETTER II.

Aetas parentum, pejor avis, tulit
Nos nequiores, mox daturos
Progeniem vitioſiorem. HOR.

I SHALL now give a few facts reſpecting Edinburgh in the years 1763 and 1783, which have a more immediate connection with MANNERS.

In 1763—People of faſhion dined at two o'clock, or a little after; buſineſs was attended in the afternoon. It was common to lock the ſhops at one o'clock, and to open them after dinner at two.

In 1783—People of faſhion, and of the middle rank, dine at four and five o'clock: No buſineſs is done after dinner; that having of itſelf become a very ſerious buſineſs.

In 1763—It was the faſhion for gentlemen to attend the drawing-rooms of the ladies in the afternoons, to drink tea, and to mix in the ſociety and converſation of the women.

In 1783—The drawing-rooms are totally deſerted; and the only opportunity gentlemen have of being in ladies company, is when they happen to *meſs* together at dinner or at ſupper; and even then an impatience is often ſhewn till the ladies retire. It would appear that the dignity of the female character, and the reſpect which it commanded, is conſiderably leſſened, and that the bottle, and diſſoluteneſs of manners, are heightened, in the eſtimation of the men.

In 1763—It was faſhionable to go to church, and people were intereſted about religion. Sunday was ſtrictly obſerved by all ranks as a day of devotion; and it was diſgraceful to be ſeen on the ſtreets during the time of public worſhip. Families attended church, with their children and ſervants, and family-worſhip was frequent. The collections at the church-doors for the poor amounted yearly to L. 1500 and upwards.

In

In 1783—Attendance on church is much neglected: Sunday is made a day of relaxation: Families think it ungenteel to take their domeſtics to church with them: The ſtreets are often crowded in the time of worſhip; and, in the evenings, they are often looſe and riotous. Family-worſhip is almoſt totally diſuſed; and it is even wearing out among the clergy: The collections at the church-doors for the poor have fallen to L. 1000. So that, with more people, and more money, the collections at the church-doors are leſſened near L. 600 a year.

It may be mentioned here, as a curious fact, that, for more than half of this century, one of the ſmalleſt churches in Edinburgh * has collected more money for the poor, at the time of diſpenſing the ſacrament, than eight churches did upon the ſame occaſion in 1783.

In no reſpect are the manners of 1763 and 1783 more remarkable than in the modeſty, decency, reſerve, dignity, and delicacy, of the one period, compared with the looſeneſs, diſſipation, forwardneſs, freedom, and licentiouſneſs, of the other. People now ſeem to ceaſe to bluſh at what would formerly have been reckoned a crime.

In 1763—The breach of the ſeventh commandment was puniſhed by fine and church-cenſure. Any inſtance of conjugal infidelity in a woman would have baniſhed her from ſociety, and her company would have been rejected even by the men.

In 1783—Although the law puniſhing adultery with death ſtands unrepealed, yet even church-cenſure is diſuſed, and ſeparations, divorces, recriminations, colluſions, ſeparate maintenances, are become frequent. Women who have been rendered infamous by public divorce, have been permitted to marry the Adulterer; and it is not without example, that the known Adultereſs has been, by ſome people of faſhion, again received into ſociety, notwithſtanding the endeavours of our worthy Queen to check ſuch a violation of morality, decency, the laws of the country, and the rights of the virtuous.

In

* The Tolbooth Church.

In 1763—The fines collected by the kirk-treaſurer for baſtar children amounted to L. 154; and, upon an average of ten ſuccee ing years, they were L. 190.

In 1783—The fines for baſtard-children amounted to L. 600.

N. B. It is to be remarked, that the repentance-ſtool, and churc cenſure, have been ſeveral years diſuſed.

In 1763—The clergy viſited, catechiſed, and inſtructed the fam lies within their reſpective pariſhes, in the principles of morality, Chriſtianity, and the relative duties of life.

In 1783—Viſiting and catechiſing are diſuſed, except by one or two of the clergy: If people do not chooſe to go to church, they may remain as ignorant as Hottentots, and the Ten Commandments be as little known as reſcinded acts of parliament.——Religion is the only tie that can reſtrain, in any degree, the licentiouſneſs of the vulgar; when that is loſt, ferocity of manners, and every breach of morality may be expected.

Hoc fonte derivata clades
In patriam populumque fluxit.

In 1763—Maſters took charge of their apprentices, and kept them under their eye in their own houſes.

In 1783—Few maſters will receive apprentices to ſtay in their houſe; and yet from them ſucceeding ſociety is to be formed, and future magiſtrates and counſellors choſen: If they attend their hours of buſineſs, maſters take no farther charge. The reſt of their time may be paſſed (as it too often is) in vice and debauchery; hence they become idle, inſolent, and diſhoneſt. Maſters complain of their ſervants and apprentices, but the evil often lies with themſelves.

In 1763—If a young man had been led aſtray by bad company, he was aſhamed of it, and moſt carefully concealed it. A young man could not have been ſeen in the Playhouſe with bad women, without being reckoned a BLACKGUARD, and expoſed to contempt and ridicule.

In

In 1783—Youth early commence what are called *puppies*, and boaſt of their experience in vice before they leave ſchool. Young men are not aſhamed to ſit in the ſide-boxes with women of the town, and afterwards go into the boxes with young ladies of character, and women of faſhion; and this is not, in general, treated (as it ſhould be) as an inſult, but often meets with no check, either from the mother or the daughter.

In 1763—There were about ſix or ſeven brothels or houſes of bad fame in Edinburgh, and a very few only of the loweſt and moſt ignorant order of females ſkulked about at night. A perſon might have walked from the Caſtle-hill to the Abbey, without being accoſted by a ſingle proſtitute.

In 1783—The number of brothels and houſes of civil accommodation are increaſed to ſome hundreds; and the *women of the town* are more than in an equal proportion. Every quarter of the city and ſuburbs is infeſted with multitudes of females, abandoned to vice, and many of them before paſſion could miſlead, or reaſon teach them right from wrong. Some mothers live by the proſtitution of their daughters. Gentlemens and citizens daughters are upon the town, who, by their dreſs and bold deportment, in the face of day, ſeem to tell us that the term WH—E ceaſes to be a reproach.

In 1763—The Canongate was the fouleſt quarter of the city, with reſpect to abandoned women and brothels.

In 1783—The Canongate, by the vigilance of the magiſtrates of that diſtrict, is the cleaneſt and moſt quiet.

Some years after 1763, an alarm was taken by the inhabitants for the health of the children at the High School, from the ſmallneſs of the rooms, and the numbers crowded into them; and they procured the largeſt and moſt elegant ſchool-houſe in Britain to be erected.

In 1783—The health of the boys being provided for, there is no alarm taken reſpecting the corruption of their morals. In Black-friar's Wynd, which may be called the very avenue to the High School,

School, there were lately twenty-ſeven houſes of bad fame *. The boys are daily accuſtomed to hear language, and to ſee manners, that early corrupt their young minds. Many of them, before they enter their teens, boaſt of gallantries and intrigues, (and in a line too) which their parents little think of. Prudent mothers will be cautious what company their daughters are in, leſt, in place of the innocent gambols of children, they ſhould be engaged in the frolics of vice and licentiouſneſs.

In 1763—People ſent their daughters to Edinburgh, to be accompliſhed in their education, and to give them urbanity of manners. An Edinburgh education was thought the moſt likely to procure them a good marriage.

In 1783—Many people prefer a country-education for their daughters; and men of ſenſe and worth prefer a young woman bred in the country, of innocent and ſimple manners, with virtuous principles, to one with tinſel-accompliſhments, and probably a giddy and corrupted mind.

In 1763—In the beſt families in town, the education of daughters was fitted, not only to embelliſh and improve their minds, but to accompliſh them in the uſeful and neceſſary arts of domeſtic economy. The ſewing-ſchool, the paſtry-ſchool, were then eſſential branches of female education; nor was a young lady of the beſt family aſhamed to go to market with her mother.

In 1783—The daughters even of tradeſmen conſume the mornings at the toilet, (to which *rouge* is now an appendage), or in ſtrolling from the perfumer's to the milliner's, &c. They would bluſh to be ſeen in a market. The cares of the family are devolved upon a houſekeeper; and Miſs employs thoſe heavy hours, when ſhe is diſengaged from public or private amuſements, in improving her mind from the *precious ſtores* of a circulating library.

It may now be ſaid, that the generality of young men are bold in vice,

* This nuiſance is now removed.

vice, and that too many of the young women imitate the meretricious airs and flippancy of courtezans.

In 1763—There was no ſuch diverſion as cock-fighting in Edinburgh.

In 1785—There have been many cock-fighting matches, or *mains*, as they are technically termed;—and a regular cock-pit is built for the accommodation of this ſchool of gambling and cruelty, where every diſtinction of rank and character is levelled.

In 1763—Deep mourning for relations was worn, and continued long: That for a huſband or wife twelve months.

In 1783—Mournings are ſlight, and worn for a very ſhort time.

In 1763—There was one dancing aſſembly-room; and the profits were given for the ſupport of the Charity Workhouſe. Minuets were danced by each ſet, previous to the country dances. Strict regularity with reſpect to dreſs and decorum, and great dignity of manners were obſerved.

In 1786—The old aſſembly room is uſed for the accommodation of the city guard. There are three new elegant aſſembly-rooms built, beſides one at Leith; but the Charity Workhouſe is ſtarving. Minuets are given up, and country dances are only uſed, which have often a nearer reſemblance to a game of romps than elegant and graceful dancing. Dreſs, particularly by the men, is much neglected; and many of them reel from the tavern, fluſtered with wine, to an aſſembly of as elegant and beautiful women as any in Europe.

In 1763—The company at the public aſſemblies met at five o'clock in the afternoon, and the dancing began at ſix, and ended at eleven, by public orders of the managers, which were never tranſgreſſed.

In 1783—The public aſſemblies meet at eight and nine o'clock, and the Lady Directreſs ſometimes does not make her appearance till ten*. The young Miſſes and Maſters, who would be mortified

* A new inſtitution, that of a Maſter of Ceremonies for the City Aſſembly Rooms, took place in 1787.

not to ſee out the ball, thus return home at three or four in the morning, and yawn and gape, and complain of headachs all the next day.

In 1763—The weekly Concert of Muſic began at ſix o'clock.

In 1783—The Concert begins at ſeven o'clock *:

The barbarous cuſtom of *ſaving* the ladies, (as it was called), after St Cecilia's Concert, by the gentleman drinking immoderately to *ſave* his favourite lady, is now given up.—Indeed they got no thanks for their abſurdity.

In 1763—The queſtion reſpecting the morality of ſtage-plays was much agitated. A clergyman, a few years before, had been brought before the General Aſſembly of the Church, and ſuſpended from his office, for having written a tragedy, perhaps one of the moſt chaſte and intereſting in the Engliſh language †. By thoſe who attended the Theatre, even without ſcruple, Saturday *night* was thought the moſt improper in the week for going to the play. Any clergyman, who had been known to have gone to the Playhouſe, would have incurred church cenſure.

In 1783—The morality of ſtage-plays, or their *effects* on ſociety, are not thought of. The moſt crouded houſes are always on Saturday night. The boxes for the Saturday-night's play are generally beſpoken for the ſeaſon, ſo that ſtrangers often on that night cannot get a place. This method of taking a box for the Saturday-night through the ſeaſon, was lately much practiſed by boarding-miſtreſſes, ſo that there can be no choice of the play, but the young ladies muſt take the diſh that is ſet before them. The traſh that by this means is often preſented, (for it is always the worſt play of the week), cannot fail to overcome delicacy, with reſpect to theatrical exhibitions. Impudent buffoons take liberties in their acting that would not have been ſuffered formerly.

In

* The hour of meeting is ſince altered to half paſt ſix o'clock.

† The Tragedy of Douglas, by Mr Home, then a clergyman.

In 1763—Young ladies might have walked through the ſtreets in perfect ſecurity at all hours. No perſon would have preſumed to have interrupted, or ſpoken to them.

In 1783—The miſtreſſes of boarding-ſchools find it neceſſary to advertiſe, that their young ladies are not permitted to go abroad without proper attendants. The ſame precaution is alſo neceſſary at dancing-ſchools.

In 1763—A young man was termed a *fine fellow*, who, to a well-informed and an accompliſhed mind, added elegance of manners, and a conduct guided by principle; one who would not have injured the rights of the meaneſt individual; who contracted no debts that he could not pay; and thought every breach of morality unbecoming the character of a gentleman.

In 1783—The term *fine fellow* is applied to one who can drink three bottles; who diſcharges all debts of *honour*, (or game-debts and tavern-bills), and evades payment of every other; who ſwears immoderately, and before ladies, and talks of his word of honour; who ridicules religion and morality as folly and hypocriſy, but without argument; who is very jolly at the table of his friend, and will loſe no opportunity of ſeducing his wife, if ſhe is handſome, or of debauching his daughter; but, on the mention of ſuch a thing being attempted to his own connections, ſwears he would cut the throat, or blow out the brains of his deareſt companion, who would offer ſuch an inſult. Senſible mothers ſhould be careful what kind of *fine fellows* are admitted to viſit in their families.

In 1763—Mr Whitefield, and other pious divines from England, uſed occaſionally to viſit Edinburgh, and they were much attended by all ranks, who liſtened to the doctrines of Chriſtianity and morality.

In 1783—An itinerant quack doctor publicly diſſeminates obſce-

nity and blaſphemy, inſults magiſtracy, and ſets the laws, decency, and common ſenſe, at defiance *.

In no reſpect is the decency, ſobriety, and decorum of the lower ranks in 1763 more remarkable, than by contraſting them with the riot and licentiouſneſs of 1783, particularly on Sundays and holidays. The King's birth-day and the laſt night of the year, ſeem now to be devoted to drunkenneſs, outrage, and riot, inſtead of loyalty, peace, and harmony.

In 1763, and many years preceding and following—The execution of criminals was rare: Three annually were reckoned the average for the whole kingdom of Scotland. There were four ſucceeding years, in which there was not an execution in the whole kingdom.

In 1783—There were ſix criminals under ſentence of death in Edinburgh *in one week*; and, upon the Autumn Circuit, no leſs than thirty-ſeven capital indictments were iſſued. *I am, &c.*

THEOPHRASTUS.

LETTER III.

Quid triſtes querimoniæ,
Si non ſupplicio culpa reciditur?
Quid leges ſine moribus
Vanæ proficiunt? HOR.

I SHALL now proceed to point out a few particulars, in which Edinburgh has made *little* or *no change* ſince 1763.

In

* A quack at this time, rendered conſpicuous by unparallelled impudence, gave public lectures (as he called them) in Edinburgh. To the honour of the police, he was impriſoned, and his lectures prohibited; which example was afterwards followed by the city of Newcaſtle, and the juſtices of Northumberland and Durham;—yet, ſtrange to tell, he had lectured two years in London unchecked!

In 1783—The ſlaughter-houſes remain where they were, in ſpite of an act of Parliament for their removal, and the univerſal complaint of the inhabitants of the nuiſance, with the teſtimony of phyſicians and ſurgeons, of their pernicious effects to health.

In 1783—The old city of Edinburgh, though ſituated by nature for being one of the cleaneſt in the world, cannot even yet be complimented in this reſpect; and, although the High Street was lately ſunk five feet upon a rapid declivity, the making common ſewers on each ſide was not attended to. The ancient river *Tumble*, like the *Flavus Tiber* of old Rome, ſtill continues to run.

> Ruſticus expectat, dum defluit amnis; at ille
> Labitur, et labetur in omne volubilis ævum.

In 1783—The lighting of the ſtreets is much the ſame as in 1763; for, although there are more lamps and lamp-poſts, there is no more oil. At the firſt lighting they ſerve only to make "darkneſs viſible;" and they are now much ſooner extinct than in the regular and decent 1763, when people were at home early, and went to bed by eleven o'clock*.

In 1783—The city-guard conſiſts of the ſame number of men as in 1763, although the city is triple the extent, and the manners more looſe. The High Street is the only one that can be ſaid to be guarded. The New Town to the north, and all the ſtreets to the ſouth, with the whole ſuburbs, are totally unprotected.

The country, in general, has improved much in the Engliſh language ſince 1763; but the city-guard ſeem to preſerve the purity of their *native Gaelic tongue*, ſo that few of the citizens underſtand or are underſtood by them. On diſbanding the army, one would have imagined that a corps of good men, who underſtood Engliſh, might have been procured.

In

* Since the above remark was made, the lamps have been better attended to, and the city is in general well lighted.

In 1783—The Charity Workhouſe is ſtarving, and ſoliciting ſupplies, and Edinburgh is the only place in the iſland that does ſo, or cannot provide for its poor; yet magnificent dancing aſſembly-rooms are built in every quarter. The members of the courts of law, indeed, pay no poor's money, although the moſt opulent part of the community; and they ſend a large proportion of managers to diſpoſe of funds to which they do not contribute *!

In 1783—The Old Town is ſtill without public neceſſaries, although the beſt ſituated place perhaps in Britain for the purpoſe, and the Old Town never can be cleanly without them. There is one exception to this ſince 1763, raiſed by ſubſcription of the neighbourhood, on the application of a citizen, which ſhows how practicable the ſcheme is.

In 1783—A great majority of ſervant-maids continue their abhorrence at wearing ſhoes and ſtockings in the morning.

In 1783—The ſtreets are infeſted, as formerly, by idle ballad-ſingers, although no perſon, by the law of the borough, is allowed to hawk or cry papers in the ſtreets but the Cadies, under cogniſance of the magiſtrates. The only difference is, that their ballads are infinitely more looſe than they were, and that ſervants and citizens children make excuſes to be abſent, to liſten to theſe abominable promoters of vice and low manners, and convey corruption into families by purchaſing them.

In 1783—The ſtreets are much more infeſted with beggars and proſtitutes than in any former period of the hiſtory of the city, and probably will continue to be ſo till a BRIDEWELL is provided. A Bridewell has been long talked of and projected; but this moſt neceſſary improvement has been forgotten, in the rage for embelliſhment †.

In

* The queſtion was lately tried before the Court of Seſſion, reſpecting the privileges of that Court, and it was found that they were entitled to exemption from ſupporting the poor.

† In 1785, a maſter of works, and ſuperintendant of police, was appointed by the Town-Council.

In 1788—The buildings of the Univerſity are in the ſame ruinous condition that they were in 1763, and the moſt celebrated Univerſity at preſent in Europe is the worſt accommodated. Some of the Profeſſors have even been obliged to have lecturing-rooms without the College for their numerous ſtudents. The ſcheme of a new College was vigorouſly promoted by a late public ſpirited magiſtrate; but this uſeful and moſt neceſſary undertaking has not as yet been advanced.

In 1763—The public records of Scotland were kept in a dungeon called the Laigh Parliament-houſe.

In 1783—The records are kept in the ſame place, although a moſt magnificent building has been erected for the purpoſe; but hitherto it has been unfiniſhed, and only occupied by pigeons. Edinburgh may indeed boaſt of having the moſt magnificent pigeon-houſe in Europe *.

Although the North Bridge was not built in 1763, yet, ever ſince it has been built, the open balluſters have been complained of; and, in 1783, paſſengers continue to be blown from the pavement into the mud in the middle of the Bridge. An experiment was made laſt year, by ſhutting up part of theſe balluſters, on the ſouth end; and, having been found effectual in defending paſſengers from the violent guſts of wind, and ſcreening their eyes from blood and ſlaughter, *nothing more* has been thought requiſite to be done †.

Many of the facts I have now furniſhed are curious. They point out the gradual progreſs of commerce and luxury, and by what imperceptible degrees ſociety may advance to refinement, nay even in ſome points to corruption, yet matters of real utility be neglected.

Similar

* Since the above was written, meaſures have been taken for finiſhing the Regiſter Office, and it is now nearly completed. A great part of the public records have been already removed thither.

† Since the above was written, the balluſters on the weſt ſide of the Bridge have been built up, to the great comfort of every paſſenger.

Similar obſervations to what I have made, may probably be applicable to many great towns and cities in Britain; and, if the example I have given is followed, much information may be gained reſpecting police and manners. I have ſaid in my firſt Letter, that ſuch a plan might be both curious and uſeful. The proſperity and happineſs of every nation muſt depend upon its virtue, and on the wiſdom and due execution of its laws.—I am, &c.

THEOPHRASTUS.

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ERRATA.

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198. l. 6. *for* L. 1 : 10 : 0, *read* L. 0 : 2 : 6. l. 7. *for* L. 3, *read* L. 5.
303. *for* are placed, *read* were placed.
378. *for* p. 72. 73. *read* 722. 723.
379. *for* Sir *read* Mr.
432. *for* cccc. *read* ccccc.
473. *for* acquire, *read* require.
In p. 514. and 515. dates are omitted, or erroneous. Add as a marginal note to p. 514. § 1. 1661. § 2. 1683.
P. 515. *for* 1630, *read* 1730. § add on the margin 1763.

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